

Summary of Comments and Responses for the Central Contra Costa County Crossover

Prepared by:

**San Francisco Bay Area Rapid Transit District
300 Lakeside Drive
Oakland, CA 94612**

February 20, 2006

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Section 1

Introduction

1.1. Project Overview

The BART system is one of the most vital transportation links in the four Bay Area counties it serves, carrying an average of 310,000 passenger trips every weekday. The most heavily traveled BART line is the Pittsburg/Bay Point to Daly City line, which serves Central Contra Costa County. In order to increase reliability and efficiency, BART is proposing two track crossovers that would be located on the existing BART alignment between the Pleasant Hill and Walnut Creek BART stations. Project benefits would include increased service in the Walnut Creek-Pleasant Hill area, increased flexibility in operational and delay management, maintenance advantages, reduced cost of waiting trains, and a better allocation of resources.

Under the California Environmental Quality Act (CEQA), BART is required to prepare an environmental evaluation of the Central Contra Costa County Crossover Project and to provide the general public with an opportunity to comment on the environmental document. On November 23, 2005 BART distributed a Draft Initial Study/Mitigated Negative Declaration (ISMND) to agencies and the general public for review and comment. A public meeting was held to receive comments on the Draft IS/MND on Thursday, December 8, 2005 at Buena Vista School in Walnut Creek, California. As a result of requests for additional time to comment on the Draft IS/MND, BART extended the end of the comment period from the original date of December 23, 2005 to January 10, 2006. Seven public agencies and 57 individuals commented on the Draft IS/MND. Although CEQA does not require written responses to comments on a Negative Declaration, staff has prepared the responses presented below for the convenience of the BART Board in considering the comments received from the public and other agencies. Since many comments from the public focused on the same issues, summary responses are provided rather than individual responses to each commenter. This document contains all the comments received on the proposed project and responses to those comments.

1.2. Project Description

The proposed Central Contra Costa County Crossover project is located on a portion of the BART alignment adjacent to Interstate 680 and slightly southeast of the Interstate 680-Geary Road/Treat Boulevard interchange. This area is within the City of Walnut Creek (City) and a portion is adjacent to a small, unincorporated portion of Contra Costa County. The project site is bound by Interstate-680 and the City of Walnut Creek's corporation yard to the west, Jones Road to the east, Treat Boulevard to the north, and Parkside Drive on the south. In this area, I-680 and the BART alignment form a north-south running transportation corridor through an urbanized environment.

A crossover is special trackwork that allows a train to cross from one track to a second track. Two crossovers are proposed. The northern crossover would be constructed approximately 2,200 feet south of the Pleasant Hill BART Station, and the southern crossover would be constructed approximately 5,500 feet south of the Pleasant Hill Station. The crossovers consist of new rails

connecting the existing parallel tracks, switches, and switch control equipment. A sound wall would be provided on the east side of the each crossover.

In addition to the special trackwork, a traction power gap breaker station would be required for each crossover. The gap breaker station for the northern crossover would be located on the east side of the BART alignment and accessible from Jones Road. There are two options for the location of the southern gap breaker station. The original crossover plan, known as Option A, located the southern gap breaker station on the east side of the BART alignment adjacent to Jones Road. At the request of local community members, a second gap breaker location (Option B) has been assessed on the west side of the BART alignment, adjacent to Lawrence Way. The Final Initial Study/Mitigated Negative Declaration evaluates both gap breaker location options for the southern gap breaker. All project improvements would be within the existing BART right-of-way.

1.3. Summary of Public Comments

Seven public agencies and 57 individuals commented on the Draft IS/MND. Comments were received at the public hearing held December 8, 2005 and by mail, fax, and email. Agency comments focused on tree replacement, the Contra Costa Regional Trail, construction impacts, and potential project approvals or permits required. Comments from individuals included, but were not limited to, the public notification process, the location of the proposed crossovers, noise (both operational and construction), loss of property values, construction duration, construction parking, and construction dust. The one aspect of the project that received the most individual comment related to the aesthetics of the traction power gap breaker stations. The comments received are reproduced in this document in their entirety.

In response to the many comments relating to the aesthetics of the gap breaker stations, BART is investigating the possibility of the relocating the gap breaker station from the east side of the BART alignment along Jones Road to the west side of the BART alignment adjacent to Lawrence Way, the City of Walnut Creek's corporation yard, and Interstate 680. As noted above and discussed in the responses that follow, a second gap breaker location (Option B) has been assessed on the west side of the BART alignment, adjacent to Lawrence Way. The gap breaker station west of the alignment would be accessed over the City's property from the intersection of Lawrence Way and Pinneman Way. BART is working with the City to assess the feasibility of the Option B site for the gap breaker station. The Final Draft IS/MND for the Central Contra Costa County Crossover project assesses the environmental impacts of both location options for the southern gap breaker station. As illustrated in the Final Draft IS/MND, Option B does not result in any new or substantially more severe impacts than were disclosed in the Draft IS/MND.

1.4. Format of the Response to Comments Document

This document contains the following sections.

Section 1. Introduction.

Section 2. Comments from Public Agencies. Comments were received from state, regional, and local agencies. Section 2 contains copies of all the written comments on the Draft

IS/MND for the proposed project. Each agency letter is reproduced followed by the response to the comments contained in the letter.

Section 3. Comments from Individuals. Comments were received from residents and property owners in the project area. Section 3 provides a summary of the comments received and a collective response to those comments. The summary responses are followed by the individual comments themselves.

Section 4. Public Hearing Transcript. A public hearing on the proposed project was held on Thursday, December 8, 2005. Section 4 provides the court reporter's transcript of the public hearing. Responses to the comments made at the public hearing are included in the Summary of Individual Comments and Responses in Section 3.

Section 2

Comments from Public Agencies



State of California - The Resources Agency

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

December 29, 2005

Mr. Steve Kappler
Bay Area Rapid Transit District
Post Office Box 12688 MS LKS-9
Oakland, CA 94604-2688

Dear Mr. Kappler:

BART Central Contra Costa County Crossover
Pittsburgh/Bay Point Line
Walnut Creek and Pleasant Hill, Contra Costa County

The Department of Fish and Game (DFG) personnel have reviewed the Mitigated Negative Declaration (MND) for the Central Contra Costa Crossover Project. The purpose of the crossover project is to add trackway between the Walnut Creek and Pleasant Hill stations to allow a train to cross from one track to the other track. The original BART system track plan provides two parallel trackways between the Walnut Creek and Pleasant Hill stations. Currently, the closest existing crossovers to the project site are at the Lafayette Station and between the Pleasant Hill Station and the Concord Yard. This deficiency reduces operational flexibility during a train failure, and requires that the District dispatch an extra train to maintain published headway times for service between Pleasant Hill Station and San Francisco.

The proposed crossover project would expand the BART embankment slightly on both the east and west sides. Creating the retained cuts for the traction power gap breaker stations would require the removal of a number of trees. An accurate tree survey has not been conducted; therefore a record of the size, species, and exact number of trees in the work area is not available. In order to avoid the potential for impacts, tree removal should be timed to avoid the bird nesting season (February through August). DFG recommends that for each native tree that is removed or destroyed, trees shall be replaced with native trees on-site at a minimum 3:1 ratio (replacement: loss). For each non-native tree that is removed or destroyed, trees shall be replaced with native trees on-site at a minimum 1:1 ratio (replacement: loss).

Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14,

Conserving California's Wildlife Since 1870

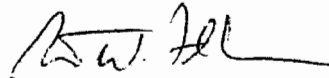


Mr. Steve Kappler
December 29, 2005
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Section 753.5(d)(1)(A)-(G). Therefore, an environmental filing fee of **\$1250** for a Mitigated Negative Declaration as required under Fish and Game Code Section 711.4(d) should be paid to the Contra Costa County Clerk on or before filing of the Notice of Determination for this project. Please note that the above comment is only in regard to the need to pay the environmental filing fee and is not a comment by DFG on the significance of project impacts or any proposed mitigation measures.

If you have any questions, please contact Ms. Marcia Grefsrud, Environmental Scientist, at (707) 944-5559; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

A handwritten signature in black ink, appearing to read "R. W. Floerke", with a long horizontal flourish extending to the right.

Robert W. Floerke
Regional Manager
Central Coast Region

Response to California Department of Fish and Game

A number of trees will be removed as part of the proposed crossover project. The actual number and species of trees to be removed has not been determined pending final design of the project and an accurate tree survey. As part of Mitigation Measure BIO-1 of the Draft IS/MND, BART has committed to replacing trees larger than 28 inches in circumference (9-inch diameter) measured 54 inches above grade on a 1:1 basis. As recommended by the California Department of Fish and Game, BART has modified Mitigation Measure BIO-1 to read, "For the removal of any tree with a circumference of 28 inches (9-inch diameter) measured 54 inches above grade, BART shall provide on-site replacement trees on 1:1 basis for non-native trees (replacement: loss), and 3:1 (replacement: loss) for native trees. Replacement trees shall be native, drought-tolerant species."

BART considered restricting tree removal to the August-February non-nesting season. However, no bird species of special concern have been identified in the project area, and the proximity of the trees to the BART tracks and BART trains makes the BART alignment a less than optimal nesting area. Therefore, no restrictions on the timing of tree removal have been required.

The Draft IS/MND for the proposed project did not identify any changes to the fish and wildlife resources in the project area. The project will not individually or cumulatively have an adverse effect on wildlife resources as defined in Section 711.2 of the Fish and Game Code. The presumption of adverse impact set forth in 14 Cal Code Regs Section 753.5(d) does not apply. BART anticipates filing a Certificate of Fee Exemption with the Notice of Determination for the project.

Community
Development
Department

County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone: (925) 335-1278

Contra
Costa
County



Dennis M. Barry, AICP
Community Development Director

December 22, 2005

BART, Crossover Project
Attn: Steve Kappler
P.O. Box 12688 MS LKS-9
Oakland, CA 94604-2688

Mr. Kappler:


This letter responds to your request for comments on the Draft Initial Study/Mitigated Negative Declaration (Draft Initial Study/Mitigated Neg. Dec.) for the BART Central Contra Costa County Crossover Project.

The Draft Initial Study/Mitigated Neg. Dec. states that the potential impacts associated with the alternative transportation within the project area will be mitigated. The County would like to request that the following action be taken to mitigate the impacts associated with the Contra Costa Regional Trail and the tunnel it utilizes to cross under the BART tracks and Interstate 680 (I-680):

- The trail signage on the Contra Costa Regional Trail adjacent to this project should be improved. Presently there is minimal signage along this section of the trail. This is unfortunate because this trail and the tunnel serve as one of the only non-motorized trail connections people can utilize when traveling an east-west route in Central County. Attached to this letter is a copy of the Contra Costa County Trail Design Resource Handbook which staff should consider using as a tool when designing the signage for this section of trail.

The County appreciates the opportunity to respond to this notice and comment on the Draft Initial Study/Mitigated Negative Declaration.

Sincerely,


Hillary P. Heard, Senior Planner
Community Development Department

Attachment

w/o attachment
c: Steven Goetz, Community Development
Patrick Roche, Community Development

G:\Transportation\Hillary\Letters\Draft\BART_crossover.doc

Office Hours Monday - Friday: 8:00 a.m. - 5:00 p.m.
Office is closed the 1st, 3rd & 5th Fridays of each month

Response to Contra Costa County Community Development Department

The proposed crossover project would not have any permanent affect on the Contra Costa Regional Trail or trail signage. As discussed on page 54 of the Draft IS/MND, the proposed project would affect the Contra Costa Regional Trail only during construction of the northern crossover. Therefore the impacts to the trail would be temporary and of limited duration. (BART estimates that the trail would not be closed more than three times and not more than 7 days at a time.) As part of Mitigation Measure TR-3, which is to coordinate with the East Bay Regional Park District and the Bicycle Advisory Committee on a trail closure plan, BART would most likely provide temporary signage regarding temporary trail closures and detours. Providing improved permanent signage, as requested in the comment, would not be necessary to mitigate temporary construction closures required by the project.



January 6, 2006

Attn: Mr. Steve Kappler
BART Central Contra Costa County Crossover Project
P.O. Box 12688 MS LKS-9
Oakland, CA 94694-2688

Re: Draft Initial Study/Mitigated Negative Declaration for the BART Central Contra Costa County Crossover Project

Dear Mr. Kappler:

The City of Walnut Creek's Engineering, Transportation, Planning Divisions and the City Attorney's office have reviewed your agency's Draft Initial Study/Mitigated Negative Declaration for the BART Central Contra Costa County Crossover Project. The City understands that BART may be revising the proposed location of one of the gap breaker stations and as such we believe that the project description in the Mitigated Negative Declaration should be revised, the impacts of the relocation analyzed including traffic and circulation impacts and then the document should be re-circulated for public review and comment.

Additional comments are as noted below:

Planning Division Comments:

1. On Page 17, paragraph two indicates that two 3-foot high retaining walls for trackside walkways would be constructed. The visibility of these retaining walls is not identified and it says that "typically, concrete forms would built and the wall constructed of poured concrete." The description, visibility and aesthetics of the walls should be more clearly identified.
2. On Page 18, the second paragraph indicates that the construction of the sound wall would be similar to constructing the retaining wall but goes on to say that "sound walls may also be constructed of alternative materials and concrete work may not be necessary". Due to the height, length and visibility of the sound walls, the materials should be clearly identified as part of the project description so that the visual impacts can be assessed. The photo simulation of the sound walls shows a decorative wall with color, texture and accent materials which is misleading if this is not the design proposed.

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Comments on Mitigated Negative Declaration for BART Crossover Project
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3. Page 20, paragraph two describes the land uses west of the crossover locations as “the City of Walnut Creek’s corporation yard, a light industrial facility” (which is a recycling facility) and “automotive sales and service”. While those are the existing uses on the properties, the City’s Zoning and General Plan designation for these sites is “Automotive Sales and Service” and “Public/Semi Public” for the City’s property. These designations should be included in this paragraph.
4. Page 21, paragraph one indicates: “In order to provide greater visual screening and reduce visual impacts along Jones Road, the 10-foot tall fencing in front of and around the gap breaker stations would be treated with redwood slats or other treatment”. The actual screening method to be used should be identified. The City of Walnut Creek would discourage the use of redwood slats as it is not a durable material and tends to break down and look dilapidated soon after installation.
5. Page 21, paragraph one states: “As noted above, the BART tracks run along an earthen embankment with a sparse scattering of bushes and trees. The existing visual setting is a utilitarian landscape in a transportation corridor. The gap breakers are not out of character with the existing features and functions of that landscape. Given that the traction power gap breaker stations will only be partially visible or screened from most viewpoints along Jones Road, the traction power gap breaker stations would have a less-than-significant impact on visual resources.” The Planning Division does not agree with this statement in that the “sparse” landscaping is insufficient because the landscaping initially installed in this corridor by BART was not adequately maintained by BART and therefore has either died or not grown very large. In addition, the transportation corridor is directly across the street from a medium density residential neighborhood that is not utilitarian in nature. There Walnut Creek Planning staff believes there is a significant visual impact from both the gap breaker stations as well as the proposed sound walls (especially since the proposed materials are not identified) and would recommend that additional landscaping be provided to adequately screen this area from the adjacent residential neighborhood.
6. On Page 23, second paragraph, last sentence states: “Although construction lighting may prove irritating to residents, the construction lighting would be temporary and is a considered a less-than-significant visual impact.” Because an impact is temporary does not mean it is not significant. The location, wattage, amount of light spillage onto adjacent properties and the duration of the temporary lighting should be clearly identified and mitigation should be implemented to ensure that there is not a significant impact.
7. On page 41, the last paragraph describes the area north of San Luis Road as a strip of “commercial and light industrial uses”. The city does not have any industrial land use classifications and therefore this description should be rewritten to state that this area is designated for “service commercial uses”.

Engineering and Transportation Division Comments:

1. Page 11, 4th paragraph – The size of the retained cut for the gap breaker station in this location should be mentioned.

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2. Page 11, 5th paragraph – It is stated that there will be no additional weight on the canal's structure. It seems that the 3 foot and 6 foot high walls, as well as the additional fill, will add additional weight to the canal's structure.
3. Page 13, 5th paragraph – There may be aspects of the proposed alternative construction methods that require City review and approval. This should be mentioned.
4. Page 13 – 6th paragraph – It is the City's understanding that the requested encroachment into the City's right-of-way is the western parking lane along Jones Road. This request is subject to City conditions of approval. It is recommended that BART meet with the City to discuss what conditions of approval will be attached to the encroachment permit.
5. Page 14 – Is the middle cross-section on Figure 6 an old cross-section?
6. Page 17, 1st paragraph – The location of the off-site lay down and storage area must be reviewed with the City. Depending on the location, this site may require City approval.
7. Page 17, 3rd paragraph – In the discussion about the on-site assembly area, the document should note that the use of the west-side parking lane of Jones Road is subject to City approval.
8. Page 17, 5th paragraph – Nowhere in this document is it mentioned whether additional lanes of Jones Road would be needed during construction. Particularly to facility the crane assembly. This should be discussed. It should also be noted that any closures or detours are subject to City review, conditions and approval.
9. Page 17, 7th paragraph – Throughout this document reference is made to BART construction noise and vibration standards as the benchmark for determining whether the project will create significant impacts. The City is questioning whether this is an appropriate benchmark.
10. Page 18, 1st paragraph – The trail closure plan for the regional trail should include a comprehensive public notification program. The City's Bicycle Advisory Committee should be included in that notification.
11. Page 18, 2nd and 3rd paragraphs – The appearance/architectural treatment of the soundwall and gap breaker stations are subject to City Design Review approval.
12. Page 18, Permits Required section – Several elements should be included in this section. (i) The haul routes to and from this site require City approval. (ii) An After Hours Work permit is required for any work outside of the City's approved working hours of Monday-Friday, 7:00 am to 6:00 pm. (iii) Coverage under the State Water Resources Control Board General Construction permit is required. The stormwater pollution control plan required as part of coverage under this permit is subject to City review and the site is subject to City inspection to insure adherence with this document. (iv) Design review approvals for this project will include the soundwalls and replacement landscaping. A condition of design review approval will be a long-term landscape maintenance agreement. (v) A tree removal permit and/or dripline encroachment permits for the trees impacted by this project are required.

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Comments on Mitigated Negative Declaration for BART Crossover Project

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13. Page 18 – Nowhere in the document do I find any discussion about how the current on-street parking that will be displaced for the duration of construction will be mitigated.
14. Page 20, 1st paragraph – There is reference to larger trees and denser vegetation along the perimeter of the BART r/w. It should be clarified that all of the area in the vicinity of both crossovers will be completely removed to facilitate the construction project. So even if this landscaping were of sufficient size or opacity to shield the views, it would end up being eliminated.
15. Page 19, 20 – Why isn't landscape mitigation discussed as a mitigation measure. The elimination of the existing landscaping, even in its current condition, and establishment of barren graded slopes is not an acceptable final condition.
16. Page 21, 3rd paragraph – The construction materials that are proposed to be similar to that used for other walls and structures throughout the area are subject to City Design Review approval. The gap breaker stations are also subject to City Design Review approval.
17. Page 23, 3rd paragraph – It appears that no mitigation measures are proposed for the nighttime construction lighting, although it is acknowledged it will be irritating to residents. It could also be potentially blinding to nearby motorists. The City will apply conditions of approval related to construction lighting, including conducting a light survey. Additionally the lighting will require generators, which is a source of noise and an impact to the surrounding residents.
18. Page 28 – The City will monitor and require mitigation measures related to air quality.
19. Page 28, 6th bullet – This mitigation measure violates Federal, State and City clean water regulations.
20. Page 30, 6th paragraph – The City does not agree that BART is exempt from the City's tree preservation ordinance. All regulations and requirements contained within the City's tree preservation ordinance apply to this project.
21. Page 31, 2nd paragraph – The 1:1 tree replacement ratio is not acceptable. The species and size of replacement trees is subject to City review and approval. The City will inspect the condition of the trees prior to their installation.
22. Page 33 – The table is incomplete.
23. Page 40, 5th paragraph – The requirements under the NPDES General Permit cover more than just sedimentation. The City will review the SWPPP and will inspect the project site throughout the project to insure compliance with the SWPPP.
24. Page 46, 5th paragraph – When will the additional testing be performed that is discussed in mitigation measure V-1? Since the vibration mitigation measures may impact how work will be constructed/conducted, this should be resolved now.

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Comments on Mitigated Negative Declaration for BART Crossover Project

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25. Page 47, 4th paragraph – The City does not agree that BART is exempt from the City's noise ordinance. There are limitation on noise impacts and hours of work contained within this ordinance.
26. Page 47, 5th paragraph – The hours listed for daytime noise in this document are not consistent with the City's noise ordinance nor is it consistent with ATS Consulting report. The City's daytime working hours are 7 am to 6 pm, Monday through Friday, excluding holidays. Work outside of these hours requires an After Hours Work permit subject to the approval of the City Engineer.
27. Page 47 – What will be the mitigation measures for the night-time workers, that sleep during the day, that will be disturbed during the construction of this project?
28. Page 48, 1st paragraph – This paragraph states it is the contractor's responsibility to ensure that vibration created by this equipment is always below standard criteria. What kind of monitoring and oversight by BART will be required?
29. Page 48, 4th paragraph – The maximum allowable intermittent noise levels are in accordance with the City's Noise Ordinance or General Plan goals & policies.
30. Page 48, 5th paragraph – Construction conducted and equipment operated outside of the permitted working hours of 7:00 am and 6:00 pm, Monday through Friday, excluding holidays, is subject to City review and approval through the After Hours Work permitting process.
31. Page 52, 4th paragraph – The construction traffic requirements mentioned in this paragraph are all subject to City review, modification and ultimate approval.
32. Page 53, 5th paragraph – The 6 permit parking places that will be permanently lost as a result of this project will result in a loss of revenue for the City.
33. Page 53, 7th paragraph – The temporary curbside construction zone is subject to City permits and conditions of approval. The construction zone is expected to be 10 feet wide. Since the parking lane is not 10 feet wide, is it anticipated that BART will request further modification of the travel lanes on Jones Road? The last sentence indicates that the construction may be staggered to reduce the significant construction impacts in this area. This text should be modified to make staggering of the work mandatory.
34. Page 54, 2nd paragraph – Off-site construction staging areas are subject to City review and approval to insure that the location is appropriate given the zoning of the site. A significant number of on-street parking spaces will be displaced during construction. What provisions are being made for these displaced spaces?
35. Page 54, 7th paragraph – The trail closure plan is subject to review and comment by the City's Bicycle Advisory Committee.
36. Page 54 – Materials deliveries to and off-haul from the site is expected to generate a significant number of truck trips and create a significant impact to traffic on an already impacted area. The hours

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of truck hauling to and from the site should be restricted to off-peak traffic times (the hours of 9 a.m. to 3:30 p.m.) to mitigate this impact.

37. Page 56, 3rd paragraph – How long is the landscape establishment period? The City will require a 5-yr maintenance agreement for the landscaped areas.

38. Appendix 1 – The SWPPP must address all potential pollutants, not just sediment and erosion.

39. Appendix 2 – (i) Daytime hours as defined in this appendix do not coincide with what is in the noise and vibration impact report or with the City's noise ordinance. Daytime hours are traditionally defined as 7:00 a.m. to 6:00 p.m., Monday thru Friday. Nighttime work is all other times, including weekends and holidays. (ii) The City will also be inspecting the noise measurements (monitoring section). (iii) How will you gauge adherence to the standard for intermittent construction noise when it is not to last for "more than a few hours"? Seems hard to quantify.

Noise and Vibration Study

40. Page 1 – Reliance on the FTA impact criteria for CEQA thresholds seem questionable when other, more stringent, criteria exist.

41. Page 2 – The vibration impacts and mitigation discuss the uncertainty of the vibration predictions and the need for more testing. When will the testing be conducted and when will it be clarified what vibration mitigations will be implemented?

42. Page 2 – Nighttime workers, that sleep during the day, will be impacted by this project. This is a common complaint we receive on a project like this. Some provisions should be made to accommodate this impact.

43. Page 4 – The City does not agree that BART is exempt from the City's Noise Ordinance.

44. Page 6 – At what heights were the noise measurements taken at Sites 2-4?

45. Page 16 – Is the welding of the special trackwork mandatory? If so, it should be specified as a mitigation measure.

Additional General Comments:

1. In several places the documents states that BART is not subject to the City of Walnut Creek ordinances, and in particular on page 20 says that BART is exempt from local general plans and zoning ordinances under Government Code section 53090. That isn't really a correct citation, since 53090 says that this section and subsequent sections don't apply to rapid transit districts - it's more a matter of unwritten common law that BART isn't subject to the City's regulations.
2. On page 20, last paragraph, the document acknowledges that the City considers it a scenic corridor, but somewhat suggests that because BART doesn't have to comply with the City's General Plan,

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Comments on Mitigated Negative Declaration for BART Crossover Project
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they don't have to worry about scenic impacts. However, even if BART does not have to comply with the City's General Plan, they still have to analyze scenic impacts from a CEQA standpoint.

3. On page 30, the document states that BART is not subject to the City's Tree Ordinance because they are exempt from local land use ordinances. However, the Tree Ordinance is not a land use ordinance and therefore BART should comply with all of the provisions of the ordinance including applying for a tree removal or drip line encroachment permit and any mitigation that would be required under that permit. Also, in the last paragraph, the document states that a tree survey hasn't been conducted. A tree survey needs to be conducted prior to approval of the mitigated negative declaration, as CEQA does not permit deferral of this kind of analysis. In the absence of a tree survey, the impacts cannot accurately be determined. On page 31, the document says that they can't determine the exact number of trees that will be lost for construction purposes. However, under CEQA, they are required to make the best estimate possible. Also, in the mitigation measure, it only commits to replacing 28-inch circumference trees. All trees that are impacted should be replaced and the trees should be replaced with other trees of comparable size.
4. On page 35, first paragraph, the document says that the closest fault is North Calaveras, which is .8 miles away. However, the City's General Plan 2025 EIR seismic map shows the Mt. Diablo Thrust Fault running directly under the northern crossover.
5. On page 45, last paragraph, more details should be given about the impacts. How often will the crossovers occur and at what times? What is the overall increase in Ldn prior to mitigation? What impacts will occur to the West, particularly the residential areas West of North Main (yes, there's a freeway in between, but BART car noise is piercing when they go around corners)? Will the noise get worse over time when the facilities get older? What kind of noise spikes will occur? (While the Ldn will be mitigated to no impact, it sounds like the noise spikes will be severe and will probably not be completely mitigated).
6. On page 48, BART is subject to the City of Walnut Creek's noise ordinance, and even if it wasn't, they need encroachment permits from the City that will include noise conditions. Accordingly, construction work must be limited to 7:00 a.m. - 6:00 p.m. on weekdays only unless BART obtains an after hours permit from the City. Also, in the last paragraph it states that BART will only pay for hotel rooms when noise exceeds BART noise standards. However, 65 dBA at night is a significant noise impact so BART should give the hotel option whenever construction occurs at night to mitigate the impact.
7. On page 52, next to last paragraph, should state how much construction traffic will be generated and what impact will this have on streets and intersections.
8. On page 53, first paragraph and page 54, second paragraph, states that BART will prepare plans in coordination with the City, however BART will need encroachment permits from the City so it should state that BART will comply with City requirements. The document should also state that queuing of trucks in residential areas will be prohibited, and specify truck routes. Also, on page 54, second paragraph, it says that the plan must include off-site staging areas. However, other parts of the negative declaration states that BART will be using parts of Jones Road for construction and

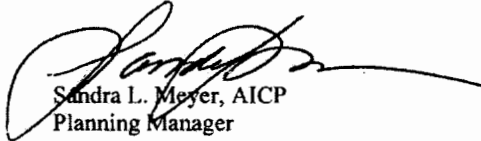
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January 6, 2006

staging. The document needs to state the size of areas that BART plans to request permission to use for staging and construction.

The City of Walnut Creek appreciates the opportunity to respond to this notice and comment on the Notice of Intent and Mitigated Negative Declaration. If you have any questions please contact me at (925) 943-5836 or meyer@ci.walnut-creek.ca.us.

Sincerely,



Sandra L. Meyer, AICP
Planning Manager

cc: Rachel Lenci, Engineering Services Manager
Rafat Raie, Traffic Engineer
John Hall, Transportation Planning Manager
Paul Valle-Reistra, Senior Assistant City Attorney

H:\Formword Templates\City Letterhead.dot

Response to City of Walnut Creek

Planning Division Comments

1. The 3-foot high retaining walls would extend the length of both the north and south crossovers, 500 feet and 200 feet respectively. The east-side retaining walls would be visible from the residential areas along Jones Road. The west-side retaining walls would be visible from areas west of the BART alignment, on the opposite side of Lawrence Way. Existing development in that area is commercial and there are no residences in that location. As noted in the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) (page 17, paragraph 2 of the Draft IS/MND), retaining walls would be constructed of poured concrete. Currently, the project design combines the retaining wall and sound wall along most of the east-side project frontage. The visibility of the wall along Jones Road is discussed in the Draft IS/MND (pages 21 through 24). Figure 10 of the Draft IS/MND illustrates an example of a typical sound wall of the correct height placed along the project alignment. Any aesthetic coloring, texturing, or tiling of the sound wall could also be extended to the 3-foot retaining wall. The project description will be clarified by amending the description of the sound wall in paragraph 5 on page 11 and paragraph 4 of page 13 of the Draft IS/MND to read, "The sound wall and short retaining wall below it would be of a decorative material of similar design quality to that illustrated in Figure 10 of the aesthetics discussion." The aesthetic detailing of the retaining wall/sound wall would be identified during final design.
2. Figure 10 of the Draft IS/MND illustrates a typical sound wall of the necessary height. The aesthetic details of the sound wall (and 3-foot retaining wall) would be identified during final design in consultation with the City of Walnut Creek (City).
3. A sentence noting Walnut Creek's zoning and general plan designations for the City's property west of the BART alignment (Automotive sales and service and Public/Semi-Public) will be added to the second paragraph on page 20 of the Draft IS/MND.
4. As discussed in the Draft IS/MND, the visual impact of adding the gap breaker stations to the existing setting will be less than significant. However, BART will consider the City's reasonable recommendations for visual screening of the gap breaker stations, as long as the design is consistent with the requirements of the California Public Utilities Commission.
5. The project description of the Draft IS/MND has been amended to clarify that BART will plant additional landscaping to screen the gap breaker stations as safety and the site plan allow.
6. The specific details of location, wattage, amount of light spillover, and duration of construction lighting are dependent on the contractor's construction plan, which also must be consistent with Caltrans, OSHA, and Cal OHSA requirements. As discussed in the Draft IS/MND, nighttime construction lighting would be temporary and would occur

on limited occasions, and is therefore considered a less-than-significant visual impact. However, BART will consider the City's reasonable recommendations for further reductions in spillover lighting. The City of Walnut Creek may review the contractor's construction plan and provide recommendations. Additional text has been added after the last paragraph of page 17 of the Draft IS/MND to clarify this and to indicate that a baseline lighting survey will be conducted prior to construction.

7. As suggested in the comment, the last paragraph on page 41 of the Draft IS/MND will be revised to state that the area north of San Luis Road is designated for service commercial uses.

Engineering and Transportation Division Comments

1. The fourth paragraph on page 11 of the Draft IS/MND states that the retained cut for the gap breaker station would be approximately 50 feet long and 25 feet wide.
2. The BART alignment crosses the Contra Costa Canal on an existing bridge structure that was constructed by BART. Any additional weight related to the crossover would be carried by the existing structure.
3. As noted on page 13 (paragraph 5) of the Draft IS/MND, the contractor may propose alternative construction methods, but could only implement those methods with approval of the BART District. As explained in footnote 6 on page 13, if substantial changes in construction methods resulted in significant, new environmental impacts, a supplemental environmental evaluation would be required. The City of Walnut Creek would have an opportunity to comment on alternative construction methods that affect City facilities. In addition, BART will obtain the City's approval for any alternative methods for construction that takes place on City property.
4. BART intends to meet with the City to discuss the conditions attached to the encroachment permit.
5. Figure 6 on page 14 of the Draft IS/MND illustrates three sections from the northern crossover. All three cross-sections are accurate for the northern crossover.
6. If located off BART District property, BART agrees that the location of the off-site lay down area would be reviewed by the City and may require City approval if located on City property. This will be clarified on page 18 under the section Permits Required.
7. BART agrees that use of the west side of Jones Road, which is City property, for a construction area requires City approval. This will be clarified on page 18 under the section Permits Required.
8. The construction scenario on page 17 will be revised to reflect the comment. During certain phases of construction, the travel lanes on Jones Road and Lawrence Way would need to be closed or rerouted. BART agrees that this would require City review and approval.

9. Under CEQA, “thresholds of significance” are utilized for the purpose of determining whether or not a project will have significant impacts. BART uses noise and vibration impact criteria from Federal Transit Administration (FTA) guidance as BART’s thresholds of significance for CEQA purposes. Although this project is not federally funded and therefore not directly subject to FTA requirements, BART has adopted FTA’s criteria in order to promote systemwide consistency.
10. BART agrees that the City’s Bicycle Advisory Committee should be consulted in the design of a Trail Closure Plan. Mitigation Measure TR-3 has been modified to include consultation with the Bicycle Advisory Committee.
11. Pursuant to Government Code section 53090 et seq., state law exempts BART from local approval requirements under building and zoning ordinances, including design review. However, BART will provide the City with design plans for the sound wall and gap breaker stations and will consider the City’s recommendations.
12. As noted in response 11 above, state law exempts BART from design review and other local approval requirements. In addition, as the commenter points out (see comment 1, Additional General Comments)], under common law principles BART is not subject to the City’s regulations for work on BART property; therefore, BART believes that it generally is not subject to the City’s Noise and Tree Ordinances. However, as noted below, BART will be subject to the City’s requirements for work taking place on City property. In any case, City requirements are not an issue under CEQA, except when BART relies on a particular City standard to ensure that a particular impact will be less than significant.

With regard to the Tree Ordinance, BART policy is to utilize the standards in local tree ordinances as its threshold of significance for evaluating impacts. Accordingly, the Draft IS/MND includes Mitigation Measure BIO-1 providing for replacement of any tree lost that has a circumference of 28 inches (9-inch diameter) measured 54 inches above grade. Mitigation Measure BIO-1 has been revised to provide a 3:1 replacement ratio (three trees replaced for each tree removed) for native trees and a 1:1 replacement ratio for non-native trees. This mitigation measure is considered sufficient to ensure a less-than-significant impact from tree removal.

With regard to approval for after hours work, BART agrees that when BART needs to conduct after hours work in the City’s right-of-way, BART would obtain an after hours work permit.

Regarding haul routes, please note that Mitigation Measure TR-1 (Draft IS/MND, p. 53) provides for BART to consult with the City and Contra Costa County (County) to develop a construction phasing and traffic management plan, including (among other things) haul routes.

The “Permits Required” section will be revised to include a reference to coverage under the General Permit for Storm water Discharges associated with Construction Activity, which is already incorporated in mitigation measure H-1 (Draft IS/MND, p. 40). Storm water Pollution

Prevention Plans (SWPPPs) under the General Permit are submitted to the Regional Water Quality Control Board. The SWPPP will also be submitted to the City for review, as the City is required to monitor the SWPPP under the City's general permit obligations.

13. Parking along the west side of Jones Road will be temporarily lost during certain phases of construction. These spaces will not be replaced during construction, however, as outlined in Mitigation Measure TR-2, BART will coordinate with the City to develop a construction-parking plan. Construction zones will only be maintained for the minimum time necessary to complete street level construction. Construction for the northern crossover is expected to last for 8 months, and construction for the southern crossover is expected to last 4 months. BART will phase construction of the north and south crossovers so that parking is not lost at both sites at the same time.
14. The comment is correct that trees would be lost in the construction zone. Impact BIO-1 on page 30 of the Draft IS/MND has been revised to indicate that vegetation and trees within the construction zone will be lost. The number of trees affected has been updated.
15. BART would be happy to work with the City to identify drought resistant landscaping, where construction affects existing landscaping. Mitigation Measure BIO-1 of the Draft IS/MND already requires use of drought-tolerant trees species for replacement trees.
16. Please see response 11 above. Pursuant to Government Code section 53090 et seq., state law exempts BART from any local approval requirements under building and zoning ordinances, including design review.
17. Please see response 6 to Planning Division comments above.
18. BART will utilize air quality controls as specified by the Bay Area Air Quality Management District guidelines.
19. The sixth bullet on page 28 has been revised to read, "Where dust resulting from construction activities has collected on public sidewalks and streets, clean all streets and sidewalks by sweeping (either by hand sweeping or with a vehicle mounted sweeper) and properly dispose of the sediment to abate flying dust particles. Clean all sidewalks and streets from accumulated dirt and dust."
20. Please see response to comment 12 above regarding the City's Tree Ordinance.
21. See response to comment 12 above.
22. The table on page 33 is complete. Item a is the introduction to items i through iv on the following page. No checkmarks are required on page 33. The table will be moved so the page break does not fall within the table.
23. The second sentence of Mitigation Measure H-1, which requires that BART shall obtain coverage under the NPDES General Permit for storm water associated with construction activities, has been revised. The revised text reads, "The District shall require the

Contractor to implement control measures that are consistent with the General Permit and with the recommendations and policies of the Regional Water Quality Control Board (RWQCB), which would include submitting a Notice of Intent and site map to the RWQCB, developing a Storm Water Pollution Prevention Plan (SWPPP), and implementing site-specific best management practices to prevent pollution ~~sedimentation~~ to surface waters.”

BART will comply with all requirements of the NPDES General Permit and will submit the SWPPP to the City for review. The City will monitor the SWPPP as part of its general permit-monitoring program.

24. Additional vibration testing will be conducted as part of final design. Mitigation Measure V-1 has been revised to require vibration testing as part of final design.
25. Please see responses to comments 11 and 12 above. BART generally is exempt from local requirements including the City’s Noise Ordinance requirements. However, BART will obtain an after hours work permit from the City for work on City property or within the City’s right-of-way.
26. See response to previous comment.
27. Mitigation Measure N-2 provides for residents to be given the option of sleeping in hotel rooms when nighttime construction noise exceeds BART noise limits. The mitigation measure has been expanded to provide the same option for local residents who work nights and sleep days when daytime construction noise exceeds BART construction standards at their location.
28. BART requires that the contractor not exceed vibration limits, but does not independently monitor vibration unless there are complaints.

Although the analysis in the Draft IS/MND concludes that impacts will be less than significant, BART understands that the neighboring residential community still may be concerned by noise, vibration, and dust related to construction. To this end, BART will coordinate with the City and the adjacent neighborhoods and will initiate a number of public forums with the community to discuss these and other construction-related issues prior to and during project construction. The project construction scenario has been amended to clarify this point.

29. Comment noted.
30. See responses to comments 11 and 12 above.
31. Mitigation Measure TR-1 states that the traffic management plan would be prepared and implemented in coordination with the City of Walnut Creek and Contra Costa County. Review and approval of the traffic management plan outlined in Mitigation Measure TR-1 will be added to the Permits Required on page 18.

32. The Draft IS/MND states that six parking spaces on the west side of Jones Road would be permanently lost. With the optional relocation of the southern gap breaker station to the west side of the BART alignment, three parking spaces would be lost on Jones Road. As these are not metered spaces, it is not clear from the comment why this would result in a loss of revenue to the City.
33. BART anticipates it would request that the west-side travel lane on Jones Road be modified to allow a 10-foot wide construction zone. The text of Mitigation Measure TR-2 has been revised to require that construction phasing be staggered to avoid parking impacts at both crossovers at the same time.
34. BART acknowledges that City review of off-site construction staging areas on City property or in City rights-of-way would be required. In order to reduce parking impacts, BART will phase construction of the two crossovers, so that parking impacts not occur at both crossover locations at the same time.
35. BART has revised Mitigation Measure TR-3 to include review and comment of the Trail Closure Plan by the City's Bicycle Advisory Committee, although approval of the plan by the City is not required.
36. BART will work with the contractor to restrict truck hauling to and from the site during off-peak traffic times.
37. Typically, BART requires a 1-year establishment period for landscaping. Funding extended maintenance agreements for landscaping is usually not covered by funding agencies.
38. Comment noted. BART will obtain coverage under the NPDES General Permit and will require the contractor to implement control measures consistent with the General Permit and with the recommendations of the RWQCB.
39. Regarding the City's Noise Ordinance, see responses to comment 11 and 12 above. BART daytime noise standards (as noted in Appendix 2) typically apply between 7 am and 7 pm daily, except for Sundays and legal holidays.
40. CEQA authorizes use of thresholds of significance derived from the standards of other agencies where appropriate. Although this project is not federally funded and so is not directly subject to FTA requirements, BART has adopted FTA noise and vibration impact criteria as its thresholds of significance for CEQA purposes, in order to ensure systemwide consistency. Adherence to these FTA standards will ensure that no unmitigated significant noise and vibration impacts occur. The comment does not specify what "other, more stringent criteria" it believes should apply. To the extent that the comment implies that the noise standards in the City's General Plan or Noise Ordinance should apply, please see response to comment 9 above.

41. Additional testing will be conducted during final design and mitigation measures for vibration incorporated accordingly. Mitigation Measure V-1 has been revised to require vibration testing as part of final design.
42. Mitigation Measure N-2 provides for residents to be given the option of sleeping in hotel rooms when nighttime construction noise exceeds BART noise limits. The mitigation measure has been expanded to provide the same consideration when daytime construction noise exceeds BART construction standards for local residents who work nights and sleep days. Also see response 27 above.
43. See responses to comments 11 and 12 above.
44. Noise measurements at noise measurement sites 2, 3, and 4 were made with the microphone at heights of approximately 5 to 6 feet.
45. BART welds all its trackwork. The only trackwork that is not welded are temporary bolted rail joints and insulated joints.

Additional General Comments

1. It is well-established that Government Code sections 53090 et seq. exempt rapid transit districts, such as BART, from local general plans and zoning ordinances. See, e.g., Rapid Transit Advocates, Inc. v. Southern Cal. Rapid Transit Dist. (1986) 185 Cal.App.3d 996.
2. The City of Walnut Creek designates the area between the BART Walnut Creek Station and Pleasant Hill Station as a scenic transit corridor. An analysis of the impact of the project's sound wall to the scenic corridor is presented in the first paragraph on page 23 of the Draft IS/MND. The discussion concludes that due to the very short duration that the project sound wall would obstruct the scenic view, the project would have a less-than-significant impact on the scenic corridor.
3. See response to comments 11 and 12 above. As the commenter points out (see comment 1, Additional General Comments), under common law principles BART is not subject to the City's regulations for work on BART property; therefore, BART believes that it is not subject to the City's Tree Ordinance. Regarding mitigation for tree replacement, a tree survey to determine the precise number of trees affected is not necessary to avoid "deferred mitigation," because BART is committed to a performance standard of 3:1 replacement for native trees lost and 1:1 replacement for non-native trees lost. The comment claims that mitigation is inadequate for failure to replace smaller trees; however, it is not clear that the City's tree ordinance would require replacement of smaller trees.
4. The City's seismic map shows the Mt. Diablo Thrust Fault directly under the BART project alignment. However, BART has conducted extensive seismic evaluation in the project area, and consultants for the BART District have confirmed that the Mt. Diablo Thrust Fault does not extend into the project vicinity.

5. There are currently six daily peak period trains that would make use of the proposed northern crossover to “short-turn” at the Pleasant Hill Station. In addition, trains occasionally would use the crossover on an emergency basis as needed. Prior to mitigation, the crossovers would increase noise by 2 dBA. The proposed sound wall would mitigate this noise increase for residents east of Jones Road. The noise analysis included an analysis of the potential impacts to areas west of project area, in particular the Marriot Hotel and Hotel 6 west of North Main Street. The analysis concluded that noise impacts west of I-680 would be below impact thresholds (ATS Report, page 18). Noise “spikes” refer to the noise increase that occurs with the passage of a BART train (and an occasional loud automobile). These noise “spikes” will continue to occur with or without the crossover project. Any additional noise related to the proposed crossovers would be mitigated by the planned sound walls.
6. See responses to comments 11 and 12 above. The appropriate terms of a City encroachment permit will be discussed separately by the City and BART. However, the terms of any encroachment permit are not relevant to CEQA compliance unless compliance with such permit terms is relied on as mitigation, which is not the case. As stated in the Draft IS/MND (page 48, Mitigation Measure N-2), BART will provide hotel vouchers as necessary to avoid significant impacts during the infrequent nighttime construction periods. CEQA does not require mitigation where the applicable threshold of significance is not exceeded.
7. Impact TR-1 on page 52 of the Draft IS/MND acknowledges that the project will cause traffic impacts during construction. The details of project construction cannot be specified at this time. BART will be working with the City of Walnut Creek and Contra Costa County to develop and implement construction phasing and traffic management to ensure that impacts remain less than significant.
8. BART agrees that it will require an encroachment permit from the City. BART will comply with the provisions of that encroachment permit. Many of the details of the construction cannot be specified at this time. BART anticipates that these details will be included in the encroachment permit, which will be subject to the review and approval of the City and County. For instance, the encroachment permit will detail truck routes, truck queuing, and construction staging areas.

01/10/06 10:36 FAX 510 287 0790

EBMUD WDPD

002



January 10, 2006

Steve Kappler, Project Manager
San Francisco Bay Area Rapid Transit District
MS LKS-9
P.O. Box 12688
Oakland, CA 94604-2688

Re: Draft Initial Study/ Mitigated Negative Declaration - Central Contra Costa County
Crossover Project, Walnut Creek

Dear Mr. Kappler:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Initial Study/ Mitigated Negative Declaration for Central Contra Costa County Crossover Project in the City of Walnut Creek. EBMUD has no comments regarding environmental issues this project.

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning, at (510) 287-1365.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. R. Kirkpatrick', is written over a horizontal line.

William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:JAJ:sb
sb06_005.doc

Response to East Bay Municipal Utility District

No response necessary.

Contra Costa County
Crossover
Project/LMA/Oak/BART
Sent by: Angela Charles
01/09/2006 10:30 AM

To Christine.Asiata@OPR.CA.GOV
cc
bcc Angela Charles/1KB/Oak/BART
Subject Re: FW: BART Central Contra Costa County Crossover
Project

Dear Christine:

Please forgive the delay in responding to your email and voice mail messages. Our Initial Study/Mitigated Negative Declaration does not need to come to the State Clearinghouse. The notification you received was a courtesy. If you have any additional questions, please feel free to call our Environmental Coordinator Don Dean at (510) 874-7341.

Sincerely,

Angela

Angela M. Charles
BART Central Contra Costa County Crossover Project Community Relations Team
Christine.Asiata@OPR.CA.GOV



Christine.Asiata@OPR.CA.GOV
OV
01/05/2006 02:18 PM

To contracostacountycrossoverproject@bart.gov
cc
Subject FW: BART Central Contra Costa County Crossover Project

Mr. Steve Kappler,

This is a follow up email to notify you that we still have no records of receiving this above mentioned project, if this is a project that needs to come to the State Clearinghouse under CEQA, please notify me and send us 15 hard copies along with a Notice of Completion Transmittal form. Thank you for your time.

Christine Asiat Rodriguez

Governor's Office of Planning and Research

State Clearinghouse

P.O. Box 3044

Sacramento, CA 95812

916 445-0613

Fax 916 323-3018

-----Original Message-----

From: Christine Asiata
Sent: Wednesday, December 28, 2005 11:42 AM
To: 'contracostacountycrossoverproject@bart.gov'
Subject: BART Central Contra Costa County Crossover Project

Attn:

Mr. Steve Kappler

The State Clearinghouse received your Notice of Extension of Comment Period notice, unfortunately we do not have any records of receiving this particular project in CEQA and we were wondering if you were going to be sending us this project soon. We were concerned because of the extension period you have requested to change. If you are going to or already have sent us this project please notify me in email and I will inform the State Clearinghouse and keep a look out for it. Thank you for your time and hope to hear from you soon.

Christine Asiata Rodriguez

Governor's Office of Planning and Research

State Clearinghouse

P.O. Box 3044

Sacramento, CA 95812

916 445-0613

Fax: 916 323-3018

Response to the Governor's Office of Planning and Research

No response necessary.

STATE OF CALIFORNIA--BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5559
TTY (800) 735-2929



*Flex your power!
Be energy efficient!*

*Received
12-6-05*

December 6, 2005

CC680542
CC-680- 23.00

Mr. Steve Kappler
Bay Area Rapid Transit
Project Manager
300 Lakeside Drive
Oakland, CA 94604

Dear Mr. Kappler:

Contra Costa Crossover Project - IS/MND

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the proposed project. We have examined the notice of intent to adopt a mitigated negative declaration dated October 25, 2005 for the Contra Costa Crossover Project (Interstate 680), on the east side of Interstate 680 and offer the following comments:

Encroachment Permit

Any work or traffic control within the State ROW requires an encroachment permit that is issued by the Department. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

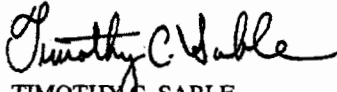
To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans (in metric units) which clearly indicate State ROW to the address at the top of this letterhead, marked ATTN: Sean Nozzari, Office of Permits.

"Caltrans improves mobility across California"

Mr. Steve Kappler
December 6, 2005
Page 2

Should you have any questions regarding this letter, please call Christian Bushong of my staff at (510) 286-5606.

Sincerely,

A handwritten signature in black ink that reads "Timothy C. Sable". The signature is written in a cursive, flowing style.

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

"Caltrans improves mobility across California"

Response to California Department of Transportation

Comment regarding encroachment permits is noted. BART does not anticipate that the crossover project will require work or traffic control within the state right-of-way.



JAN-09-2006 MON 04:30 PM CCWD WATER RESOURCES

FAX NO. 9256888142

P. 01

**CONTRA COSTA
WATER DISTRICT**

1331 Concord Avenue
P.O. Box H20
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122

January 9, 2006

Directors
Joseph L. Campbell
President

Elizabeth R. Anello
Vice President

Bette Boatman
John A. Burgh
Karl L. Wandry

Walter J. Bishop
General Manager

VIA FACSIMILE: (510) 464-6539
Hard Copy to Follow

San Francisco Bay Area Rapid Transit District
Attn: Steve Kappler
MS-LKS-9
P.O. Box 12688
Oakland, CA 94604-2688

**Subject: Notice of Public Hearing and Availability of the Draft Initial
Study/Mitigated Negative Declaration for The BART Central Contra
Costa County Crossover Project**

Dear Mr. Kappler:

The Contra Costa Water District (CCWD) has received the above notice regarding the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed San Francisco Bay Area Rapid Transit District (BART) Central Contra Costa County Crossover Project. CCWD operates and maintains the Contra Costa Canal for the United States Bureau of Reclamation (Reclamation). The Contra Costa Canal passes under the tracks between the Pleasant Hill and Walnut Creek BART stations. An easement to cross over the Contra Costa Canal right-of-way was granted by the Reclamation to BART in the 1960's. That easement is for the parallel tracks that presently cross over the Contra Costa Canal.

CCWD's review of the IS/MND indicates that within the BART easement over the Reclamation right-of-way that new facilities will be constructed including the cross over tracts and a sound wall. In order for CCWD to determine the impact of the project to the Reclamation and the Contra Costa Canal right-of-way as well as the consistency of the project with the existing easement, design drawings in relationship to right-of-way and Canal facilities are required. If an additional easement area is required or if the easement does not allow new facilities to be constructed then approval for these changes will need to be granted by Reclamation and will require National Environmental Quality Act Review.

JAN-09-2006 MON 04:30 PM CCWD WATER RESOURCES

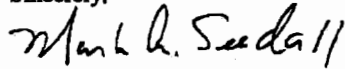
FAX NO. 9256888142

P. 02

San Francisco Bay Area Rapid Transit District
Attn: Steve Kappler
January 9, 2006
Page 2

CCWD appreciates the opportunity to provide its comments on the BART Central Contra Costa County Crossover Project. Should there be any questions please do not hesitate to contact me at (925) 688-8119.

Sincerely,



Mark A. Seedall
Senior Planner

MS/rir

Response to Contra Costa Water District

Conversations with CCWD staff and information conveyed by CCWD indicate that U. S Bureau of Reclamation obtained an easement over the right-of-way held by the Sacramento Northern Railroad to build the Contra Costa Canal. When BART bought the Sacramento Northern right-of-way, it also gained title to the property underlying the canal easement. Therefore, the easement suggested by the comment is unnecessary. All work related to the proposed crossover project would be conducted within BART's existing right-of-way over the Contra Costa Canal, and the canal would not be affected.

Section 3

Comments from Individuals

SUMMARY OF COMMENTS FROM INDIVIDUALS AND RESPONSES

PUBLIC NOTIFICATION

Some commenters questioned the adequacy of public notice and opportunity for comment. The California Environmental Quality Act (CEQA) requires that lead agencies notify the public of draft environmental documents by one of three methods: public posting in the vicinity of the project, mailing, or a newspaper notice in a newspaper of general circulation. For the Central Contra Costa County Crossover Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND), BART employed all three methods to notify the public of the availability of the Draft IS/MND and a public hearing. To announce the initial availability of the Draft IS/MND and public comment period ending December 23, 2005, a public notice was published in the Contra Costa Times and mailers were sent to approximately 2,900 addresses within the area bounded by the intersections of North Civic Drive/Oak Road, Treat Boulevard/Geary Road, North Main Street, and Parkside Drive. In response to the concerns of some members of the public, the comment period was extended to January 10, 2006. To announce the extension of the public comment period, notices were posted along the BART right-of-way on Jones Road, a second notice was placed in the Contra Costa Times, and a second notice was mailed to more than 2,500 property owners and residents within approximately one-half mile of 500 Jones Place, the approximate center of the project area. Both mailings included notification to public agencies with jurisdiction over the project area, including the City of Walnut Creek and Contra Costa County.

PROPOSED PROJECT AND BART OPERATIONS

Some commenters questioned the need for the project or requested that the crossovers and/or gap breaker stations be relocated away from residences east of Jones Road.

Location of crossovers. The existing crossovers closest to the project area are north of Pleasant Hill Station. These crossovers facilitate train movement in and out of the Concord Yard and Concord Station, but do not allow train movements between tracks between Walnut Creek Station and Pleasant Hill Station.

Track crossovers can only be installed along a length of straight (parallel) track. Due to the curves (both horizontal and vertical) between the Walnut Creek and Pleasant Hill BART stations, the placement of the crossovers is limited to the two locations chosen: one for the northern crossover, and one for the southern crossover.

The crossover project, and all the facilities related to it, would be contained within the existing BART right-of-way. The special trackwork required for the crossovers would be located between the two existing BART tracks. The project would not bring BART tracks any closer to residences than they are now.

No additional trains. The crossover project would not add any new trains to the current schedule. As described on page 6 (Project Purpose) of the Draft Initial Study/Mitigated Negative Declaration, six daily peak trains currently terminate their runs at Pleasant Hill Station rather than proceed all the way to the Pittsburg/Bay Point Station with decreasing passenger loads. These trains turn back at a point north of Pleasant Hill Station at the Concord Yard and return toward Oakland and San Francisco, increasing seating capacity for passengers traveling in that direction. This practice is known as “short-turning.” The new crossovers would allow the short-turning trains a quicker and more efficient way to change direction and return to service than is now available. No additional trains are proposed as part of the crossover project.

Relocation of gap breaker stations. Two gap breaker stations are required for the project as proposed, one for the northern crossover and one for the southern crossover. Initially, both gap breaker stations were initially proposed to be located at-grade on the Jones Road side of the BART alignment and both would be accessible (and visible) from Jones Road. Residents have expressed concern about the presence of the gap breaker stations on the Jones Road side of the BART alignment, which would face residential properties east of Jones Road.

In response to neighborhood requests, BART has investigated the possibility of relocating the gap breaker stations from the east (Jones Road) side of the alignment to the west side, which faces Lawrence Way and Interstate 680. Relocating the gap breaker station for the northern crossover is not feasible. There is not sufficient access to the property west of the alignment. The presence of Interstate 680 and the northbound exit lane from Interstate 680 to the Geary Road/Treat Boulevard interchange immediately west of the BART alignment precludes any attempt to provide BART access to the degree necessary to relocate the northern gap breaker station to the west side of the BART alignment. However, it may be possible to relocate the southern gap breaker station.

The Draft IS/MND concludes that placing the southern gap breaker station in the originally proposed location would not result in significant visual impacts (see responses below). Nevertheless, BART recognizes that some residents would prefer another location and is currently working voluntarily with the City of Walnut Creek to evaluate an option that would relocate the southern gap breaker station to the west side of the BART alignment. The scenario for locating the gap breaker station west of the BART alignment, known as Option B, would place the gap breaker on BART property just south of the city’s corporation yard and adjacent to the Lawrence Way (Figures 7B and 8B). No new access from Lawrence Way would be necessary. Access would be over city-owned property via the existing intersection at Lawrence Way and Pinneman Way. This option is analyzed in the Final Draft IS/MND, which demonstrates that it would not result in new or substantially more severe environmental impacts than those previously considered. However, City of Walnut Creek staff is assessing the feasibility of the new location, adjacent to the City’s corporation yard. The final decision as to which option will be implemented will be made based on further discussions on feasibility with the City of Walnut Creek.

Figure 7B
Site Plan – Southern Crossover – Option B

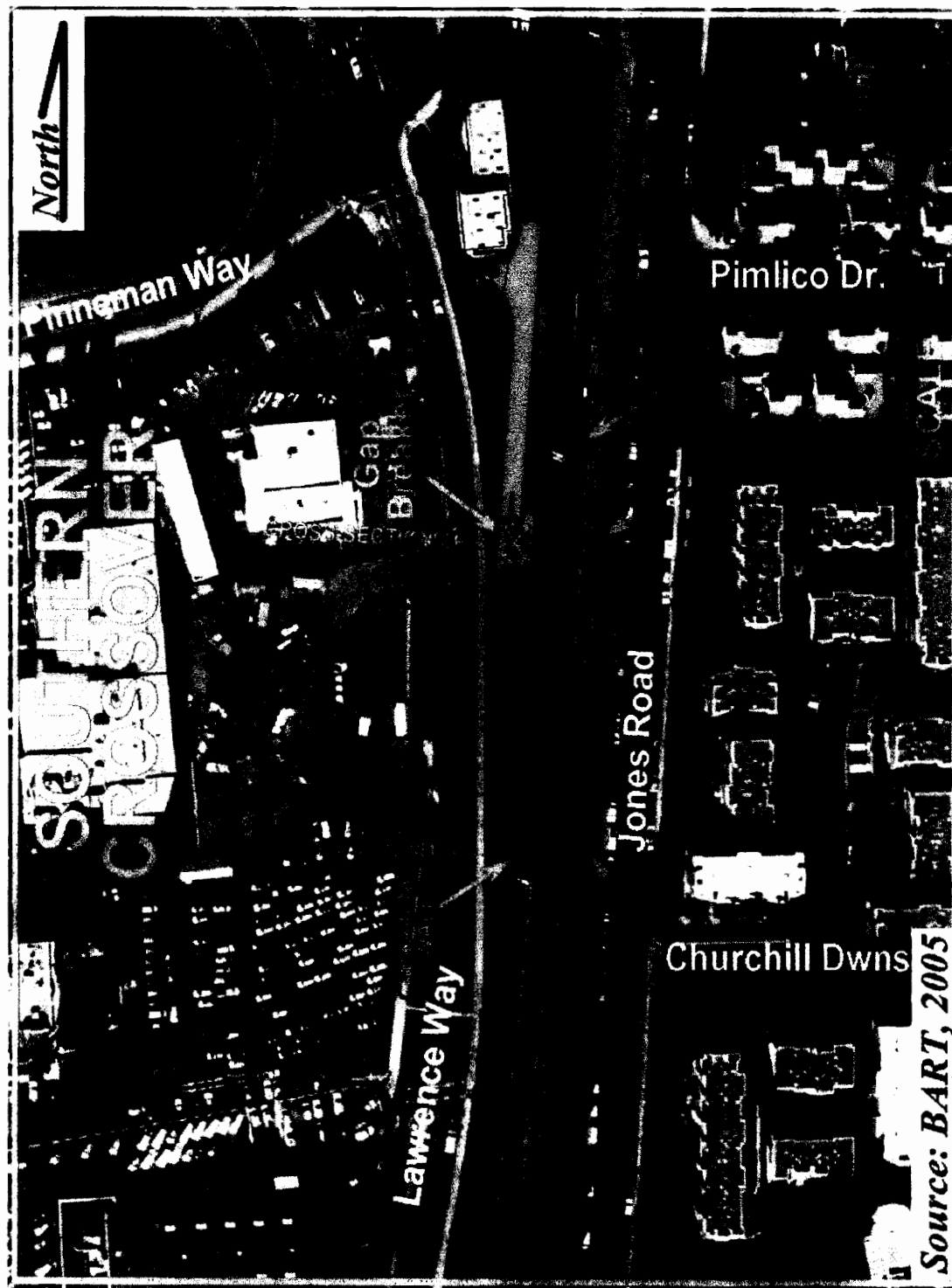
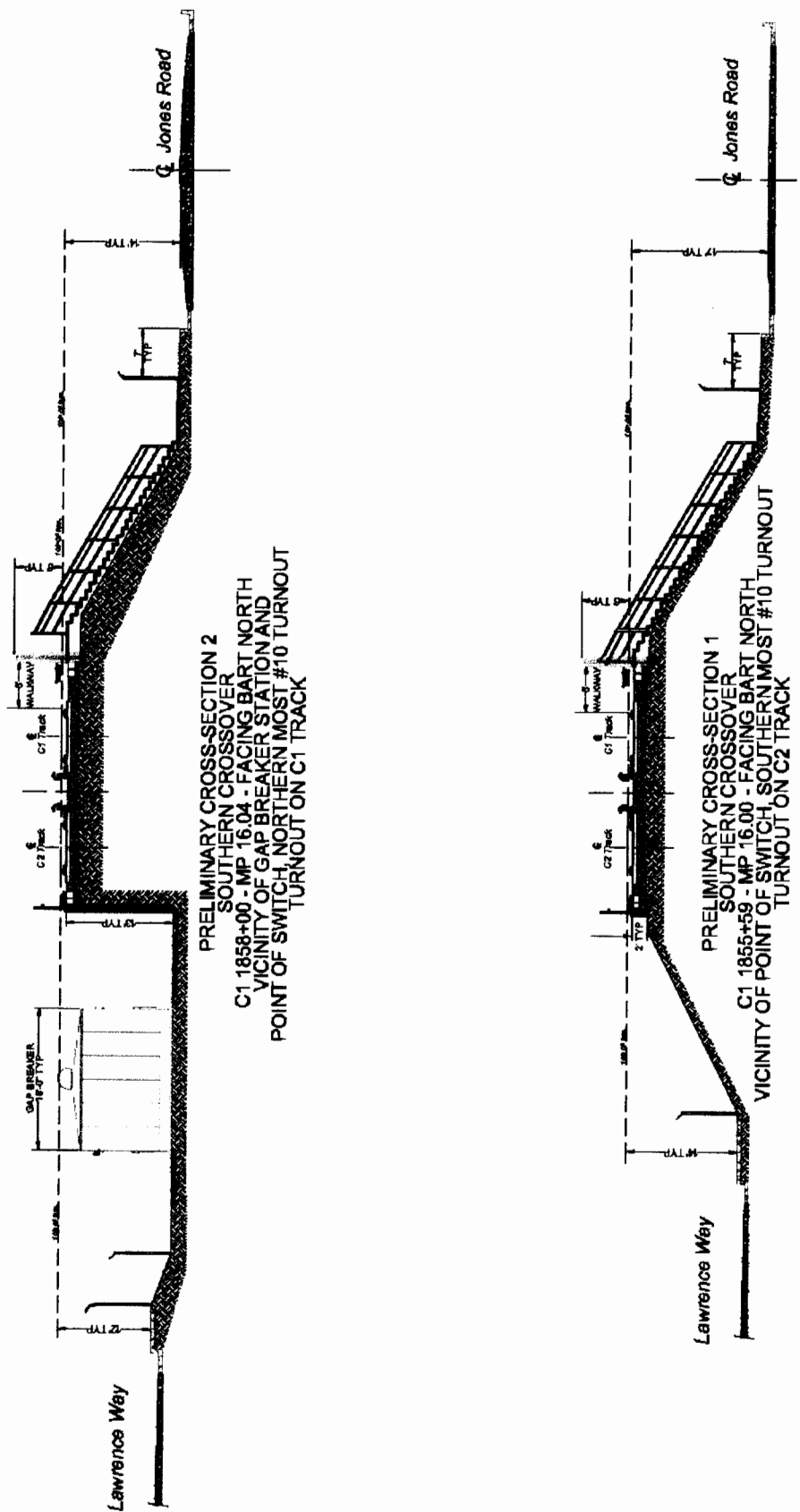


Figure 8B
Cross Sections – Southern Crossover – Option B



Source: BART, 2005

CROSS-SECTIONS SOUTHERN CROSSOVER

Moving the gap breaker station from the Jones Road side to the Lawrence Way side would remove some of the construction traffic related to the southern gap breaker station from Jones Road, but would not eliminate it entirely. (See construction responses below.) Under either option, the project would not have any unmitigated significant environmental impacts.

Aesthetics of gap breaker station. Comments from residents near the location of the southern gap breaker station objected to the visual appearance of the station. In addition, a number of comments expressed concern about the aesthetic impacts of both stations. As noted above, the revised Draft IS/MND includes an option to relocate the southern gap breaker station, although there is not sufficient room on the west side of the BART alignment to move the northern gap breaker station. However, regardless of which side of the BART alignment is chosen, the visibility of the gap breaker station from the vantage point of certain residences does not constitute a significant impact under CEQA in relation to the existing (baseline) aesthetic conditions at the project site.

Gap breaker stations are not maintenance buildings, but specialized structures that contain the electrical components that power the BART traction power system. The gap breaker stations illustrated in Figures 6 and 8 of the Draft IS/MND represent typical gap breaker station designs. The gap breaker stations are approximately 28-feet long, 18-feet wide, and 12 feet high from grade to the top of the roof. Roof-mounted vents or air conditioning equipment may extend 2-3 feet above that point. In other words, a gap breaker station is about the same size as a residential two-car garage. Certain design features, such as fencing and building setbacks, are required by the California Public Utilities Commission.

BART recognizes that some neighbors are concerned about the appearance of the gap breaker stations. In order to address these concerns, the gap breaker stations will be reduced by screening them with redwood slat fencing, as described in the Draft IS/MND. In addition, BART will plant landscaping to screen the gap breaker stations where safety and the site plan allow. However, although the gap breaker stations are not particularly attractive, their appearance is considered a less-than-significant environmental impact. While views from vantage points within some neighboring homes may be affected, the determination whether a significant environmental impact exists is evaluated in terms of substantial adverse effects on scenic vistas, or substantial degradation of the existing visual character or quality of the project site and its surroundings. See state CEQA Guidelines, Appendix G. The project site is currently a utilitarian transit right-of-way, characterized by the existing BART tracks atop a sparsely landscaped soil embankment flanked by a bare chain link fence. Addition of the gap breaker stations and other project components, in the context of existing conditions, will not result in substantial degradation or alteration of the visual character of the area, nor impair or interfere with any scenic vistas. CEQA does not require BART to improve upon the limited aesthetic quality of the project site and its surroundings in their existing condition.

Operational Noise. Some commenters are concerned that the addition of the crossovers would increase existing noise from the passage of BART trains. In fact, the analysis in the Draft IS/MND shows, the sound walls to be installed, as noise mitigation for this project would also serve to reduce overall noise levels below pre-project conditions. Moreover, as noted above, CEQA does not require mitigation for existing conditions not attributable to the project.

BART has experience with sound walls at other locations along the system, and sound walls have proven effective in mitigating noise impacts. Post-construction monitoring is not considered necessary.

In addition, some commenters requested that the proposed sound walls be extended in order to further reduce BART train noise.¹ The length and height of the two sound walls (one at each crossover) was designed to reduce noise impacts related to the proposed crossover track. The noise generated by the crossover is generated by the special trackwork at the crossover. Typically, BART uses welded track throughout its system. Welding the rails end-to-end eliminates the gaps between rails and reduces wheel noise. However, special trackwork is required at switches. Commonly known as frogs,² the special trackwork is a track insert used where two rails cross each other. A standard frog has a gap to allow wheels to roll over the rail in two directions. It is the train wheel rolling over the gap in the frog that generates noise. Each crossover has two frogs. The crossover noise is generated from track level and not from the BART trains. Sound travels along the “line of sight.” A 6-foot high sound wall blocks noise from the source (the rails) to locations along “line of sight” of the rails. This includes blocking project noise to the first, second, or third stories of nearby structures. In addition, the sound walls are designed to extend far enough horizontally beyond the frog to block the noise generated by the frogs.

Sound walls (6-feet high measured from the top of the BART track) are planned that would run parallel to the tracks along the east side of the crossovers. The sound wall for the northern crossover would be approximately 480 feet long, and the sound wall for the southern crossover would be approximately 350 feet long. The gap between the northern and southern sound walls is approximately 0.5 miles. The length of the sound walls is determined by what is required to mitigate the additional noise generated by the crossovers. Additional sound wall length adds to the cost of the project without any commensurate reduction of noise levels attributable to the project. Funds for the Central Contra Costa County Crossover project are being provided through Regional Measure 2, which does not include funding for additional sound walls.

Noise from passing BART trains on these tracks constitutes an existing condition rather than an environmental impact from the crossover project. As noted above, CEQA does not require agencies to mitigate existing conditions. While BART recognizes that additional sound walls would be beneficial in reducing BART train noise currently experienced by some neighbors, funding available for this project does not allow for construction of additional sound walls that are not necessary as mitigation for noise attributable to the project.

¹ One commenter reports louder noise from northbound BART trains than from southbound trains. The northbound BART track is known as the C-1 track and the southbound track is known as the C-2 track. There could be a variety of reasons why northbound trains appear louder than the southbound trains; however, “give” in the C-1 track is not one of those reasons. Both the C-1 and C-2 tracks are maintained the same standards, and there is no more “looseness” in one track than the other.

² When viewed from above, this trackwork is thought to have some resemblance to the amphibian.

Trees and landscaping related to noise mitigation. A number of comments requested that some tall trees should be planted to reduce noise. Noise is a physical wave. Any noise barrier needs to present a continuous surface of sufficient density to absorb sound energy. Trees, even when planted closely together, do not present enough continuous surface area to reduce noise; and therefore trees and landscaping are not viable noise mitigation.

Loss of sunlight. The proposed project sound walls would rise 6 feet above the top of the existing BART railroad track and have the potential to block direct sunlight from the west late in the day for residences facing the BART alignment. This would only occur during those seasons when the sun sets directly behind the sound wall, and the sound wall casts a shadow on properties to the east. The closest residence is approximately 120 feet from the sound wall. A sound wall 6 feet above the top of rail would block direct rays of the sun on that residence for approximately 11 seconds. This is not considered a significant impact.

Electromagnetic force and health issues. Some commenters raised concerns regarding electromagnetic fields. Wherever there is a flow of electricity, electric and magnetic fields are created. Electric fields are created by voltage in a power line, magnetic fields result from the current in the line. Collectively, these are known as electromagnetic fields (EMF). Electric and magnetic field strengths decrease with distance from the source. In recent years, there has been scientific study as well as public debate on the health effects of EMF from utility lines, electrical appliances, and other facilities. Studies have been conducted to prove or disprove the relationship between EMF exposure and numerous forms of cancer, birth defects, mental disorders, and other adverse health conditions, but no direct link has been established. No health-based standards currently exist for long-term EMF exposure in the United States. Federal and state agencies have reviewed past studies to determine whether exposure triggers adverse health effects and have found no basis for setting health standards to date.³

BART uses an electric third rail to power its trains, which has been present along the BART alignment since the system was inaugurated in 1972. The presence of the two proposed crossovers would not alter or increase the electric voltage or current in the project area. The two gap breaker stations, which would be the BART facilities closest to local residences, contain no transformers or high voltage equipment. In addition, the electrical cables are in a metallic shield and the switching gear is shielded by a metal enclosure. Typically, BART generates lower EMFs than a standard PG&E street transformer.

Taking of property/Loss of property values. Some commenters asserted that the project would constitute a “taking” of their property. The overall environment in the vicinity of the crossovers would not change. The only changes apparent to adjacent residents would be the sound walls along the top of the BART embankment, which would mitigate any noise impacts, and the presence of the two gap breaker stations. Presence of the sound walls and gap breaker stations does not create any significant impacts. Temporary construction impacts on neighboring properties will be mitigated as described in the Draft IS/MND.

³ Pacific Gas & Electric Company, 1999, *Electric and Magnetic Fields Q and A*. Available online, last accessed February 2003.

The proposed project will not result in a "taking" of neighboring residential property, as it will not deprive nearby owners of the use and enjoyment of their property. In addition, please note that a reduction in property value, by itself, does not constitute an environmental impact under CEQA.

PROJECT CONSTRUCTION

A number of comments raised concerns regarding construction impacts.

Construction Duration. Physical construction of each crossover is expected to take from 4 to 8 months; that is, the time when BART contractors would be actively working on-site to do site preparation, minor excavation, wall construction (short retaining walls, retained cuts for gap breaker stations, sound walls), and trackwork. Portions of the curb lane along the west side of Jones Road would be fenced off and used as a construction zone during these periods. Construction of the two crossovers would be staggered, so construction would not take place at both crossover sites simultaneously. Once the track work for the crossovers is installed, systems-related work (communications, third rail power, train control, etc.) would continue for an additional 6 months. Most of the systems-related work would be done within the BART right-of-way. The entire project, with periods of activity and inactivity at various locations, would extend over 18 months.

Construction parking along Jones Road. Currently, Jones Road provides street parking for residents and for employees of businesses, particularly along the south end of near Parkside Drive. Construction of the project and creation of a construction zone along the west side of Jones Road would displace these parkers during certain phases of construction. As noted above, construction of the two crossovers is expected to take from 4 to 8 months each, though construction would be phased so that construction at both crossovers at the same time would be avoided. Mitigation Measure TR-2 of the Draft IS/MND requires BART to coordinate with the City of Walnut Creek and Contra Costa County to develop a construction period parking plan. In addition, BART would be willing to consult with interested residents on parking and other construction-related issues. This would include off-site parking of construction employees and off-site staging areas for equipment and material.

Construction noise. Construction noise would occur as part of the project. Construction noise levels, under worst-case conditions, could reach 85 dBA (8-hour Leq) within 50 feet of the center of construction activity. BART construction noise standards (BART Facilities Standards) state that the maximum allowable noise level in residential areas is 75 dBA daytime and 65 dBA nighttime. Contractors working on the project must comply with BART construction noise standards. Construction would take place largely during standard construction hours (approximately 7 am to 7 pm).

Nighttime construction would be much more limited, although there will be two or three times when BART will be working 24 hours around the clock to install new switches. These 24-hour construction activities would last 2 or 3 days and would be scheduled over a weekend.

Hotel Vouchers. Hotel vouchers will be offered to residents when nighttime construction noise at their residences exceeds BART construction standards. As described in the Draft IS/MND (page 48), BART will work to ensure that residents are fully informed about the upcoming construction. For the weekends of nighttime construction, residents in locations where construction noise is expected to exceed BART construction noise standards will be given the option of sleeping in hotel rooms at BART expense for the duration of the nighttime construction. The vouchers would be for the weekend in local hotels. Disorientation for those using the hotel option should be minimal. Residents who work nights and sleep during the day will be given the same option for hotel vouchers. Mitigation Measure N-2 (last item) has been amended accordingly.

Construction Dust and Debris. The project would involve minor excavation and grading, which could be a source of dust and particulate matter during construction. Mitigation Measure AQ-1 (as amended) requires the contractor to implement a series of dust control measures during construction. These measures require dust control measures such as sprinklered water and regular sweeping of roads to reduce construction dust. (Mitigation Measure AQ-1 is described on page 27 of the Draft IS/MND.) To ensure job site safety, BART requires that the contractor collect debris and either off-haul it or store it appropriately for future disposal.

Contra Costa Regional Trail Closure. BART has not identified the number of individual trail users affected by a construction period trail closure of the Contra Costa Regional Trail. However, BART does not anticipate closing the trail more than three times, and each closure would not exceed 7 days. As described in Mitigation Measure TR-3 of the Draft IS/MND, BART will coordinate with the East Bay Regional Park District to prepare a construction and trail closure plan for the Contra Costa Regional Trail. The detail of possible detours for trail users would be developed jointly with the Park District and the Bicycle Advisory Committee.

SUZANNE ANGIOLI

545 Churchill Downs Ct., Walnut Creek, CA 94597

Tele: 925-933-3359

M E M O R A N D U M

TO: Mr. Steven Kappler - Project Manager - BART
P. O Box 12688 MS LKS-9
Oakland, CA 94604-2688

FROM: Suzanne Angioli

DATE: December 22, 2005

RE: BART Cross-Over - Jones Road, Walnut Creek

Dear Mr. Kappler:

I reside at the Main Chance Condominiums in a unit with windows facing Jones Road overlooking BART tracks. I did not receive notice of BART's December 8th meeting regarding the Cross-Over Project.

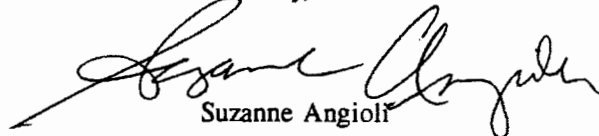
Thank you for extending the comment period from December 23rd (the busiest time of the year!) to January 10th, 2006. I am sure many people, like me, did not even receive notification of this huge and intrusive construction project in our neighborhood.

I am very much concerned about the noise, dust, construction equipment, parking spaces, and general mayhem this long-term (I understand it is over one year!) project will create, not to mention the end result which is more trains, a sound wall which will block views and sunlight, and the final and greatest insult, two ugly industrial massive 12-foot high gap breaker stations. (I have seen these stations at Concord and elsewhere on the BART line, and even behind chain-link fencing, they are extremely ugly.)

By copy of this letter to the City, I request that all efforts be made by BART in coordination with the City of Walnut Creek to effect installation of the gap breaker stations on the opposite side of BART and away from the residential side.

Thank you for your attention to this letter.

Sincerely,



Suzanne Angioli

cc: Mayor Kathy Hicks
Walnut Creek



"M. Astor"
<102399@yahoo.com>
01/05/2006 08:29 AM

To contracostacountycrossoverproject@bart.gov
cc
bcc
Subject Bart "Cross over" project on Jones Rd

I am a resident on Jones Place off Jones Road. The BART trains that speed along Jones Road make a very loud clack-clack as they pass. The noise off the track is quite loud. Because of that noise along with the upcoming "cross over" project on Jones Road we would like to request that the sound wall be extended to include our portion of Jones Road and/or some tall trees be planted. Any help would be greatly appreciated.

Sincerely,
John Astor

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dsl.yahoo.com



jodi.barry@att.net
01/09/2006 10:54 AM

To: contracostacountycrossoverproject@bart.gov
cc
bcc
Subject: Attn: Steve Kapler/ RE:Opposition to Jones Road Crossover

January 9, 2006

San Francisco Bay Area Rapid Transit District
Attn: Steve Kapler
MS-LKS-9
P.O. Box 12688
Oakland, CA 94604-2688

Dear Mr. Kapler:

We are residents of Main Chance Estates in Walnut Creek directly adjacent to Jones Road. We strongly oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the east side of the Bart Tracks along Jones Road. We have a question to pose to you and your BART colleagues. Would you like to have this unsightly structure literally in your front yard(s)? Would you appreciate the effect that this project has on your property value(s)? Our guess would be an emphatic NO!

Although we have read that the city of Walnut Creek has revenue-generating development plans for the land along Lawrence Way, and are sure that this plays a large part in your project plans, we encourage you to place this structure in an area zoned for industrial rather than residential use.

Sincerely,
Jodi And Chris Barry
567 Churchill Downs Court
Walnut Creek, CA 94597-7603

Annette R. Bowman

2744 Blue Heron Loop
Lincoln, CA 95648

December 26, 2005

Mr. Steven Kappler, Project Manager
BART CCC Cross-Over
P. O. Box 12688 MS LKS-9
Oakland, CA 94604-2688

Re: BART Cross-Over Project - Jones Road, Walnut Creek

Dear Mr. Kappler:

Until recently, I lived on Churchill Downs Court in the Main Chance Condominiums in Walnut Creek. I still visit and communicate with friends and former neighbors there. They have told me about BART's plans to install cross-over tracks on the other side of Jones Road, along with two large industrial buildings referred to as "Gap Breaker Stations".

The Main Chance on Jones Road is a lovely residential community with many homes. The residents of this complex, along with the hundreds of people whose homes face Jones Road, will be greatly impacted not only by the hardships of living adjacent to a long-term construction project in their immediate neighborhood, but also having to live with the resulting visual "eye-sore" of the two huge Gap Breaker Stations.

I believe that BART should place the Gap Breaker Stations on the West side of the tracks, which is an industrial, rather than residential area, and I hope that the City of Walnut Creek will be able and willing to work with BART to effectuate that change. I believe it is important that the City retain the aesthetics and beauty of its established neighborhoods and by placing these Stations on the other side of tracks, the residents can retain some of the quality of life they have heretofore enjoyed.

Thank you.

Sincerely,



Annette R. Bowman

cc: Kathy Hicks, Mayor
City of Walnut Creek
P. O. Box 8039
Walnut Creek, CA 94596



"dscaine@comcast.net"
<dscaine@comcast.net>

01/03/2006 09:56 AM

To "contracostacountycrossoverproject@bart.gov"
<contracostacountycrossoverproject@bart.gov>

cc

bcc

Subject Comments on the BART Central Contra Costa County
Crossover Project from: : Dave Caine

Name: Dave Caine
email: dscaine@comcast.net
City: Walnut Creek, CA 94597

phone: 925-935-2505

Subject: Soundwalls

Feedback: I would like to know if sound walls or some sort of sound deadening
is planned for this crossover project.

Possibly similiar to the sound walls that were installed at the existing
crossover near Bancroft Rd. - at the time homes were constructed near the
overcrossing.

I live directly across Jones Rd., just east of the planned overcrossing.
Thank you.

User IP: 24.4.167.39

Browser: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1; .NET CLR
1.1.4322; InfoPath.1; .NET CLR 2.0.50727)

RECEIVED

JAN 03 2006



les chan
<lesliechan@sbcglobal.net>
01/05/2008 04:59 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: BART Crossover Walnut Creek/Pleasant Hill

Dear BART,

I am a resident on Jones Place close to Jones Road. The bart trains that speed along the tracks near Jones Road make a very loud clack-clack as they pass. The noise is quite loud. Because of that noise along with the upcoming "cross over" project on Jones Road we would like to request a sound wall be extended to include our portion of Jones Road. Tall trees planted in front of the wall would help with the aesthetics of the wall. The sound wall would be greatly appreciated,

Les Chan
501 Jones Place
Walnut Creek, CA 94597



Maritza Chan
<estrellita@yahoo.com>
01/09/2006 01:30 PM

To: contracostacountycrossoverproject@bart.gov
cc
bcc
Subject: Contra Costa county Crossover Project

To: San Francisco Bay Area Rapid Transit District
ATTENTION: Mr. Steve Kappler

I reside in Main Chance Estates in Walnut Creek and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks along Jones Road because it is unsightly. Please reconsider the location of this project. This project should be done in another area.

Thank you for your attention to this.

Maritza Chan
Resident of 564 Churchill Downs Court
Walnut Creek, CA 94597

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BART CENTRAL CONTRA COSTA COUNTY CROSSOVER
DRAFT INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
COMMENT CARD

Thank you for your interest in the BART Central Contra Costa County Crossover Project. Your input and participation is encouraged and appreciated.

(Please print clearly.)

Name: LORRI DANE Date: 12-8-05
Address: 65 DRAKE CT.
WALNUT CREEK CA 94597
City State ZIP-Code

Home Phone:

E-mail:

Organization/Affiliation:

Comment:

① WHY ARE THE GAP BREAKERS TO BE SITUATED ON THE RESIDENTIAL SIDE OF THE BART TRACKS?

② I AM CONCERNED ABOUT THE SOUTH END PARKING FOR NON-BART WORKERS. AN AVERAGE OF 150 CARS PARK EVERYDAY ON JONES BETWEEN WALTON & PARKSIDE.

③ LONGER SOUND WALL DUE TO INCREASE IN BART TRACKS.

④ I DID NOT GET A MAILING ABOUT THIS MEETING.

You may hand in your completed comment card to a project representative at the Public Hearing or you may mail or fax it to BART. Please fold this form in half, seal with tape, and add postage before mailing. Fax comment cards to (510) 464-6539. Feel free to send in additional sheets as needed. You may also e-mail your comments to the e-mail address below. All comments must be received by 5:00 p.m. on Friday, December 23, 2005.

Central Contra Costa County Crossover P.O. Box 12688 MS LKS-9 Oakland, CA 94604-2688
Information Line: (925) 603-5321 Fax: (510) 464-6539 Web: www.bart.gov/crossover
E-mail: contracostacountycrossoverproject@bart.gov



"Susan Densmore"
<qdensmore@hotmail.com>
01/09/2006 02:36 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Comments on the Contra Costa County Crossover Project

I am a resident of the Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the EAST side of the BART tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area. It should be placed on the WEST side of the tracks along Lawrence Way, in an area that is zoned for industrial use.

Thank you.

Susan Densmore
582 Churchill Downs Court

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Cheryle DiGeronimo

P. O. Box 3764, Walnut Creek, CA 94598

Tele: 925-935-9053

December 24, 2005

BART Central Contra Costa County Crossover
Attn: Steven Kappler, Project Manager
P. O Box 12688 MS LKS-9
Oakland, CA 94604-2688

Re: BART Project on Jones Road, Walnut Creek

Dear Mr. Kappler:

Thank you for extending the public comment period to January 10th, 2006 which offers the citizens of Walnut Creek more time to express their concerns regarding BART's cross-over project.

My chief concern is the visual blight created by installation of the large and unsightly "gap breaker stations" on Jones Road. These 12-foot-high containers are too industrial and out of place on a residential street. Jones Road is residential from Parkside all the way to Oak Road. It is a great disservice to the hundreds of residents of Jones Road to place these unattractive and industrial-looking monstrosities in their neighborhood.

Please consider erecting the gap breaker boxes on the West side of the BART tracks which is an area that is non-residential.

Please help keep Walnut Creek beautiful.

Sincerely,



Cheryle DiGeronimo



"Doug Edwards"
<douglaee@sbcglobal.net>

12/20/2005 07:04 PM

Please respond to
<Douglaee@sbcglobal.net>

To <contracostacountycrossoverproject@bart.gov>

cc <mayor@ci.walnut-creek.ca.us>

bcc

Subject Crossover Project's South Gap

Dear Mr. Kappler:

I am a resident of the Main Chance Estates in Walnut Creek, CA and I oppose the placement of the Contra Costa County Crossover Project's South Gap Breaker Station on the East side of the BART Tracks along Jones Road. The proposed new structure is unsightly and does not belong in an area that is zoned for residential use.

It should be placed on the West Side of the tracks along Lawrence Way in an area that is zoned for industrial use.

Thank you for your consideration.

Name: Douglas E. Edwards
City: Walnut Creek, CA



FelloJM@aol.com
01/02/2006 05:25 PM

To: contracostacountycrossoverproject@bart.gov,
BXZhou@aol.com, marq@inreach.com, rjohnson@ortc.com,
lesliechan@sbcglobal.net
cc:
bcc:
Subject: Cross over project on Jones Road

I am a resident on Jones Place close to Jones Road. The bart trains that speed along Jones Road make a very loud clack-clack as they pass. The noise is quite loud. Because of that noise along with the upcoming "cross over" project on Jones Road we would like to request a sound wall be extended to include our portion of Jones Road and/or some tall trees be planted. Any help would be greatly appreciated,
Joyce Fellows



"coniferk@aol.com"
<coniferk@aol.com>
01/10/2006 09:40 PM

To "contracostacountycrossoverproject@bart.gov"
<contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Comments on the BART Central Contra Costa County
Crossover Project from:: Kevin Fellows

Name: Kevin Fellows
email: coniferk@aol.com
City: Walnut Creek, ca 94597

phone: 925 296 6116

Subject: Contra Costa Crossover Project

Feedback: I hope that BART will think of the residents of Jones road and assist with noise level s the BART trains. We need a soundwall, landscaping of tall tree and bushes(as there are on David Ave in Concord from Bancroft to Oak Grove Rd).

Can you please have someone from BART go out to Jones road and see the conditions of dead trees/bushes. The loud clack,clack,clack of the passing BART train is a major annoyance to us.

User IP: 207.200.116.135
Browser: Mozilla/4.0 (compatible; MSIE 6.0; AOL 9.0; Windows NT 5.1; SV1; .NET CLR 1.0.3705)

San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler
MS-LKS-9
P.O. Box 12688
Oakland, CA 94604-2688

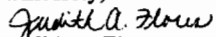
Dear Mr. Kappler:

I am writing to you to oppose the proposed placement of the Contra Costa County Crossover project's Southern Gap Breaker Station on the east side of the BART tracks on Jones Rd. We are residents of the Main Chance Estates in Walnut Creek, and our front door faces the exact place on Jones that you are proposing. I am surprised and disappointed that such a structure would be considered to be placed in a residential area. The breaker station is unsightly and inappropriate for that site. Would you want to look out your front door and see that?

It is bad enough that we will have to endure the added noise, pollution, etc. from the additional BART tracts, without feeling like we are living in an industrial park. In addition, I have great concerns regarding the potential health issues from being so close to a concentrated electrical force. I realize that studies have shown no "significant" risk, however, do you really know for sure??

Mr. Kappler, I sincerely hope that you will take into consideration the residents of this community, when making final decisions about the placement of the breaker station. While it may seem like a challenge, it is always better to do what is right rather than what is easy.

Thank you for your consideration in this matter.

Sincerely,

Judith A. Flores
569 Churchill Downs Ct.
Walnut Creek, CA 94597



Jan-10 JAN 10 '06 03:07PM (510) 464 6539

14157602675

T-145 P.001/001 P.1/1 F-484

1-10-06

To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

RE: Comments on the Contra Costa County Crossover Project

I am a resident of the Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART tracks along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in our established, attractive residential area. If placed here, it would devalue the price of our homes significantly.

Why can it not be placed on the West side of the tracks along Lawrence Way. That area is already zoned for industrial use. However, the answer really is to find another location to put this Crossover in. The noise we will suffer during construction and the dust and dirt that comes along with it is unacceptable. I already have trouble sleeping due to the noise of BART...this will only add to my discomfort.

Sincerely,

Ray A. Freeman
579 Churchill Downs Ct.
Walnut Creek, CA 94597

2721 Oak Road, Unit H
Walnut Creek, CA 94597
(925) 934-8940

6 January 2005

BART

Attention: Mr. Steve Kappler

MS-LKS-9

P. O. Box 12688

Oakland, CA 94604-2688

RE: Comments on the Draft Initial Study/Mitigated Negative Declaration

Dear Mr. Kappler:

We live in the Oak Road Villas condominium complex. Our unit faces west, approximately 321 feet from the east embankment of the north-bound BART track. Our building appears to be between mileposts 16.6 and 16.7 in the aerial photo, figure 4 of the study.

Our particular unit (one of eight on the second floor) has two levels for living and sleeping. The bedroom level is at a third floor height and appears to be at or above the BART track rails. At that height, the noise from BART trains in both directions are barely tolerable with the windows closed but quite disturbing when the windows are even slightly open and intolerable when westerly wind blows the noise of highway 680 and BART trains into the bedroom windows.

You can understand, then, our concern over the proposed northern crossover project and the potential for increased noise. The ATS Consulting Memorandum (11-21-05) studied 'second floor receiver' predicted sound levels at a closer distance to the tracks than our condo and concluded that a six foot sound wall will reduce the predicted noise from both the proposed northern crossover and the existing noise as well (see Table 6, page 23).

Our concern is this: will the six foot high sound wall (measured from the top of the rail) decrease sufficiently the increased noise of the crossover for a third floor receiver at 321 feet from the rails? Were various wind conditions taken into account? Also, is the sound wall (whether at six feet or taller) sufficiently long in the northern direction to mitigate noise for all eight units on the second and third floor levels of 2721 Oak Road? (Figure 5, page 12, of the study indicates a too short wall).

Given that the ATS memo did not address noise level impacts beyond microphones on the ground level at the Carriage Place complex, we think it is reasonable to request some inspection of predicted noise at higher levels and the sufficiency of the proposed sound wall to mitigate that noise.

Sincerely,



James and Sharon Gallagher

cc: Michael Messina, President, Oak Road Villas



"Jerry Gary"
<jerrygary2@sbcglobal.net>
01/09/2006 01:46 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Contra Costa County Crossover Project

To: San Francisco Bay Area Rapid Transit District
Attention: Mr. Steve Kappler
Subject: Comments on Contra Costa County Crossover Project.

We have read the notices pertaining to the Contra Costa County Crossover Project that have been posted on the fence along side of the BART tracks.

Would it be possible to place the project's Southern Gap Breaker Station on the West side of the tracks, along Lawrence Way?

Your consideration of this request is greatly appreciated.

Jerome Gary, and
Elizabeth Gary

586 Churchill Downs Court
Walnut Creek, CA 94597



"Anne"
<agleisner@sbcglobal.net>
01/01/2006 05:03 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject mail list/questions and concerns

How do I get more information as to the work they are proposing? I am very concerned as it appears it would go right by/over my home. Is there any compensation for lost home value due to a project like this??

Please add me to the mailing list.

Anne Gleisner
440 pimlico drive
walnut creek, ca 94597

Thanks,
Anne



"Susan Guerguy"
<marq@inreach.com>
01/05/2006 04:10 PM

To <ContraCostaCountyCrossoverProject@bart.gov>
cc
bcc
Subject comments from Jones Road, W.C.

Mr. Steve Kappler or to whom it may concern,

I am a resident on Jones Place off Jones Road, Walnut Creek. The BART trains that speed along Jones Road make a very loud clack-clack as they pass. The noise off the track is quite loud. Because of that noise along with the upcoming "cross over" project on Jones Road we would like to request that the sound wall be extended to include our portion of Jones Road and/or some tall trees be planted. Any help would be greatly appreciated,

Sincerely,
Susan Guerguy
511 Jones Place
Walnut Creek CA 94597
925-933-9691



"Simon Ho"
<elfie.simon@worldnet.att.net
>

12/24/2005 07:35 AM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject South Switch Room

Dear Mr. Kappler:

I am a resident of the Main Chance Estates in Walnut Creek, CA and I oppose the placement of the Contra Costa County Crossover Project's South Switch room on the East side of the BART Tracks along Jones Road. The proposed new structure is unsightly and does not belong in an area that is zoned for residential use.

It should be placed on the West Side of the tracks along Lawrence Way in an area that is zoned for industrial use.

Thank you for your consideration.

Name: Elfie Ho, 417 Pimlico Drive

City: Walnut Creek, CA



"Simon Ho"
<elfie.simon@worldnet.att.net
>

12/18/2005 07:37 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject South Switch Room

Dear Mr. Kappler:

I am a resident of the Main Chance Estates in Walnut Creek, CA and I oppose the placement of the Contra Costa County Crossover Project's South Switch room on the East side of the BART Tracks along Jones Road. The proposed new structure is unsightly and does not belong in an area that is zoned for residential use.

It should be placed on the West Side of the tracks along Lawrence Way in an area that is zoned for industrial use.

Thank you for your consideration.

Name: Simon Ho, 303 Pimlico Drive

City: Walnut Creek, CA



"Norma Horner"
<norma_horner@msn.com>
01/05/2006 09:05 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Request Noise Abatement at Jones Rd/Jones Pl Section on
Crossover Project

Hello Bart Officials, I understand plans are afoot for a BART crossover along Jones Road in Walnut Creek. I beg you to include much needed noise abatement into your project. My condo is in Westcliffe 2 on corner of Jones Road and Jones Place. The need for BART caused noise abatement has always existed at this location. The Crossover Project will involve more activity at this location - thus even more noise - and construction work will be done SO ... PERFECT time to build in noise abatement. Two suggestions to accomplish the goal are tall trees or a sound wall. Please consider my request when making your plans.

Regards, Norma Horner 503 Jones Place Walnut Creek, CA 94526
email: norma_horner@msn.com Work Phone : 510 457-3030



"Housley, Theresa"
<thousley@corelearn.com>
01/10/2006 02:35 PM

To <contracostacountycrossoverproject@bart.gov>
cc <marq@inreach.com>
bcc
Subject BART Jones Road Crossover Project

To Whom It May Concern,

I am a resident at Westcliff II on Jones Place off Jones Road in Walnut Creek. The BART trains that travel along Jones Road make a very loud "clack-clack" as they pass. Due to this noise and the upcoming "cross over" project on Jones Road, I would like to request that the sound wall be extended to include our portion of Jones Road and some tall, healthy trees be planted. Any help would be greatly appreciated.

Sincerely,

Theresa L. Housley, Homeowner

Westcliff II Condominiums

529 Jones Place

Walnut Creek, CA 94597

925-360-5828



"James R. Hunt"
<hunt@ce.berkeley.edu>

01/10/2006 02:30 PM

To contracostacountycrossoverproject@bart.gov

cc gmc@astound.net

bcc

Subject Public Comment

San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler
MS-LKS-9
P.O. Box 12688
Oakland, CA 94604-2688
Via email: contracostacountycrossoverproject@bart.gov

RE: Central Contra Costa County Crossover Project

This response to the Mitigated Negative Declaration is being written by me as an independent citizen even though I chair the Contra Costa Centre Area Municipal Advisory Council (MAC). The MAC was appointed by the Contra Costa County Board of Supervisors to advise the County Board of Supervisors on land use within the unincorporated area surround the Pleasant Hill BART Station.

I would like to offer some comments on the need for this project, raise some specific issues related to mitigation of the environmental impact of this project, and then comment on the process by which BART apparently went about the public notification process.

The Project

It is clear that the crossover project between the Walnut Creek and Pleasant Hill BART Stations is needed to improve system efficiency and reliability. This will improve routine train service out of the Pleasant Hill BART station and permit a more flexible response to system failures. I think the need is fully justified.

The Gap Breaker Station Buildings

Two metal buildings will be constructed with a floor elevation approximately level with Jones Road. This will require two cuts into the dirt embankment to hold the building along with two parking spaces. BART proposes building a 10 foot high chain link fence with slats or other fencing treatment to partially screen the 12 foot high buildings. The cross sections on page 14 and 16 showing the gap breaker station buildings do not indicate if 12 feet is the peak roof height or the wall height and additional height is required for water drainage and air handling. It is my understanding that BART buildings must be maintenance free to minimize long-term costs. As I have seen at the Pleasant Hill BART Station, this style of architecture is not pleasant where it is intended to be visible. Without sketches of what these buildings would look like, I can only assume the worst in terms of unsightly angles, inappropriate colors, and a wall of monotone fence that only partially blocks the building from across the street where pedestrians and residents would view the buildings. A set of comparison figures such as was done in Figures 9 and 10 showing before and after the sound wall should have been included. I would like to suggest greater attention to building design and some consideration of landscaping to minimize the visual impact of the chain link fence. Building a 10 foot high fence right up to the BART boundary line will eliminate landscaping opportunities on BART land.

The Sound Walls

I am pleased BART has included sound walls on the east side of the tracks in the two crossover switch areas. The Negative Declaration reports that the crossovers will increase noise levels by 5 decibels and the sound walls are predicted to decrease sound by 6 decibels (for second floor residents). This net reduction in sound is good. These predictions are based on models, not measurements, and I recommend monitoring before and after the project to verify these predictions for the specific conditions at the site. Perhaps BART has experience at other locations with sound walls added to elevated track sections showing before and after sound levels. There should be data collected to verify the predictions.

Construction Impacts

I can appreciate that construction will impact residents, BART patrons, and Contra Costa Trail users. While mitigation is proposed for residents when night-time noise is high, and BART patrons will have a shuttle service during service interruptions, there is no mention of mitigation for closing the trail for up to 7 days at a time. Has BART determined the number of individuals such a closure would impact and the complexity of the detour? While the trail was recently closed west of Main Street for slope re-contouring, there were nearby alternatives on lightly traveled residential streets. Long-term closure of the trail under BART and the freeway will require long detours that do not have the separation of trail users from heavy traffic.

Notification Process

As chair of the Contra Costa Centre Area Municipal Advisory Council, I should receive notices of projects within the unincorporated area around the Pleasant Hill BART station and that includes the northern crossover track. I did not receive such notification. While BART has extended the deadline for public comments from December 23, 2005 to January 10, 2006, I did not have time to place this important project on the agenda for the Municipal Advisory Council. We meet on the third Tuesday of the month, and as you know, it is essential to publicly notice meetings with agendas. A BART staff person was more than willing to attend the MAC meeting as long as it was before the January 10th deadline. Moving the MAC meeting to earlier than January 10 was not possible.

As our region increases in population density and more and more public projects are contemplated to respond to the increase in density, there is a tendency to have conflicts among governmental agencies and advisory groups that do not serve the public good. I hope we can minimize such conflicts in the future by reaching out more fully to the necessary advisory groups that are here to help.

James R. Hunt
2632 Cherry Lane
Walnut Creek, CA 94597
Email: hunt@ce.berkeley.edu

cc: Contra Costa Centre Area Municipal Advisor Committee members
BART Director Gail Murray



Lynn Kohl
<lakohl@ebcglobal.net>
01/10/2008 11:09 AM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: comments on CCC Crossover Project

I have been a resident of Walnut Creek for over 20 years and have lived at Main Chance Estates for the last 10 years. I oppose the placement of the CCC Crossover Project's Southern Gap Breaker Station on the east side of the BART Tracks, along Jones Road. This new structure would be unsightly. It does not belong in an established and attractive residential area. It would likely decrease our property values and significantly change appearance of the area around Jones and Churchill Downs. I suggest the proposed new structure be built on the West side of the tracks, along Lawrence Way in an area zoned for industrial use.

Thank you for your consideration. This is an important issue for me as the owner of a unit on Churchill Downs Court,.

Best Regards,

Lynn Anne Kohl
557 Churchill Downs Ct.
Walnut Creek, CA 94597

FROM : LARRY LAWLOR

FAX NO. : 925 676 6893

Jan. 08 2006 10:32PM P1

Lawrence and Oksana Lawlor
520 Churchill Downs Court
Walnut Creek, CA 94597
Phone: 925-934-1115

Fax

To:	Steve Kappler, Project Manager San Francisco Bay Area Rapid Transit District	From:	Lawrence Lawlor
Fax:	510-464-6539	Date:	January 8, 2006
Re:	Contra Costa Co. Crossover Project		

My family and I are homeowners in the Mainchance Estates complex in Walnut Creek. We oppose the placement of the southern Gap Breaker associated with the Contra Costa Crossover Project along Jones Road on the east side of the BART right-of-way.

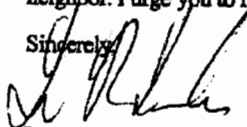
I am surprised that the published "Mitigated Negative Declaration" essentially dismisses (p.19) aesthetic issues and the impact of those issues on residential neighborhoods, property values and the community at large.

The proposed southern Gap Breaker and associated structures along Jones Road will be unsightly at best and do not belong in an established residential neighborhood. Locating such structures immediately adjacent to residential property is sure to detract from property values. A more appropriate location would be on the west side of the BART right-of-way along Lawrence Way near the Walnut Creek city yard in an area more appropriate for such an industrial structure. The engineering drawings on pages 15 and 16 indicate that there is adequate room on the east side of the tracks for locating the southern-most gap breaker.

Obviously my objections above fall into the NIMBY category (Not in My Back Yard) and I am sure you will add this letter to your stack of other such objections. However, I believe the issues here go beyond my personal concerns for aesthetics, property values and safety. For years the community of Walnut Creek has worked hard to maintain the city as an attractive location to live and raise a family (Walnut Creek has some of the best schools in the state).

For BART to locate an obviously industrial structure immediately adjacent to a fine residential neighborhood when seemingly viable alternatives exist, is an encroachment on the residential values of all Walnut Creek residents and seems incongruous with BART's policy of being a good neighbor. I urge you to reconsider the planned location of the gap breaker.

Sincerely,



Lawrence Lawlor, PhD



"aftrainman@sbcglobal.net"
<aftrainman@sbcglobal.net>
12/15/2005 07:35 PM

To "contracostacountycrossoverproject@bart.gov"
<contracostacountycrossoverproject@bart.gov>

cc

bcc

Subject Comments on the BART Central Contra Costa County
Crossover Project from: : Richard Lenart

Name: Richard Lenart
email: aftrainman@sbcglobal.net
City: Walnut creek, CA 94597

phone: 9259377289

Subject: Contra Costa crossover

Feedback: I recently read about the Contra Costa crossover in the paper. What
are the switch tracks just north of the Pleasant Hill station used for?

Thanks
R. Lenart

User IP: 68.122.34.72
Browser: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; sbcydsl 3.12; YPC
3.0.3; SV1)

James A. Lisa
387 Pimlico Drive
Walnut Creek, CA 94597
925 944 6463

BART Central Costa County Crossover Project
Mr. Steve Kappler
P.O.Box 12688
MS LKS-9
Oakland, CA 94604

December 5 2005

Dear Mr. Kappler

I am a resident of Main Chance Estates, located between Parkside Drive, and Pimlico Drive in Walnut Creek CA. This complex of some 800 residents is adjacent to you proposed crossover project site.

I do have comments, however the website for comments and fax number provided are not operational. I have also left a phone message on the number provided.

There are several concerns about the project:

1 A mailing was sent, but not to all residents in the complex and probably the area. Very few people seem to know about your meeting or the project. So comments for sure would be limited. You should consider a second mailing and extension of comments period to accommodate any difficulties with initial communications.

2 Your proposal mentioned parking on Jones Road would be minimally impacted. How many construction workers will be working on this project, and where will they park? Right now many local businesses use Jones Road for parking. Sometimes overflow drifts in to Pimlico Drive and Churchill Downs, both private streets as are all streets in this complex, and consequently the vehicles are towed at owners expense.

3 Noise levels would approach 80 -85 DCB. This is high considering levels of 100 cause some hearing damage. The BART train crossing the Parkside overpass has excessive noise that has impacted home values in that area.

4 Dust mitigation, do you plan on full containment to accomplish this? Otherwise residents will be constantly dealing with dust in their homes and on their vehicles. You may need to consider car wash and other type of cleaning vouchers, in conjunction with hotel vouchers.

5 Construction vehicles create traffic, noise and a lot of dirt and debris. Will someone be cleaning up after these vehicles.

6 Sound walls are a good idea, but block sunlight to some homes. This could affect resale for some residents.

7 You must consider any nightwork you will do, and how it impacts children and elderly. Providing hotel vouchers is a nice touch, but children must go to school, and some elderly get disoriented when moved. Many residents have pets. How will they be handled during hotel stays?

8. You will be constructing two maintenance buildings. Will they be bare bones galvanized type structures, or do you plan to paint them so they don't stick out like a sore thumb?

I know BART service is important to the area, and I am a frequent user of the system. However some issues in your proposal concern me and other residents in the area. The fact that communication is difficult in regards to providing comments via e mail or by fax makes me believe you handled your community obligations legally, but in a way that surely mitigates any negative feedback.

Sincerely

James A. Lisa



"Jim A. Lisa"
<jim.a.lisa@sherwin.com>
12/09/2005 10:38 AM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Project Comments

I attended the meeting last night and would like to make a couple of comments.

1. The Gap Breaker building on the south end of the project could be located to the area west of the Bart tracks. that area is zoned for industrial buildings, and plenty fo room exists for a building. I understand the city must get involved if you make a change in your plans, but as I understand the current situation, approvals have not yet been granted by the ckity for the project.

2. If moving the building to the west of the tracks is totally out of the question, I suggest an architectural review of the building and site to determine if building can be painted or modified in a way to make it invisible to the public, much as most municipalities do with water storage tanks.

I live in Main Chance Estates, a complex adjacent to your project and am concerned about the aesthetic impact of the maintenance buildings, and the potential of diminished home values as a result of this design.

Regards

James A. Lisa
387 Pimlico Drive
Walnut Creek, CA 94597



"Marvin Lopez"
<mrlkeboom@jps.net>
01/09/2006 12:29 AM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Comments

Hello,

I am a homeowner of the Main Chance Estates in Walnut Creek. I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART tracks, along Jones Road. The proposed new structure is of an industrial nature, unsightly and does not belong in an established and attractive residential area.

I, along with many other homeowners, feel it should be placed on the west side of the tracks, along Lawrence Way, in an area that is zoned for industrial use.

Thank you for your consideration.

Marvin Lopez
553 Churchill Downs Court
Walnut Creek CA 94597



**BART CENTRAL CONTRA COSTA COUNTY CROSSOVER
DRAFT INITIAL STUDY / MITIGATED NEGATIVE DECLARATION
COMMENT CARD**

Thank you for your interest in the BART Central Contra Costa County Crossover Project. Your input and participation is encouraged and appreciated.

(Please print clearly.)

VIA FAX + MAIL

Name: CAROLINE F. LUTZ Date: 12-26-05
 Address: P.O. BOX 4505 - (355 Churchill Downs Ct. W.C. 94597)
Walnut Creek CA 94596
 City State ZIP-Code
 Home Phone: 925-943-7621 E-mail: - o -
 Organization/Affiliation: - o -

Comment: Good Day. On Dec. 8, 2005 I attended the BART meeting regarding the Cross-over Project along Jones Road in Walnut Creek.

The presentation included a rendition of the sound wall to be constructed on the East side of the tracks. No pictures, however, were presented showing what the large gap breaker stations would look like, and I think I know why they weren't. These 12-foot high industrial-type boxes are quite an eye-sore and if Jones Road residents knew what they look like, they would be even more upset about the project. I have seen a gap breaker station of the same size and with the same chain-link and redwood-slat fencing as proposed for

(continued-over) →

You may hand in your completed comment card to a project representative at the Public Hearing or you may mail or fax it to BART. Please fold this form in half, seal with tape, and add postage before mailing. Fax comment cards to (510) 464-6539. Feel free to send in additional sheets as needed. You may also e-mail your comments to the e-mail address below. All comments must be received by 5:00 p.m. on Friday, ~~December 23, 2005~~

Jan. 10-06

BART Central Contra Costa County Crossover P.O. Box 12688 MS LKS-9 Oakland, CA 94604-2688
 Information Line: (925) 603-5321 Fax: (510) 464-6539 Web: www.bart.gov/crossover
 E-mail: contracostacountycrossoverproject@bart.gov

Additional Comments:

the Jones Road Stations. It was even more unattractive than I expected.

The proposed gap breaker stations for our residential area are not suitable and would have a demoralizing effect on our neighborhood.

Please locate the stations on the west side of the BART tracks, not directly across from our homes!

Thank you.

Caroline F. Lutz

cc: City of Walnut Creek

Return Address:

Lutz

P.O. Box 4505

Walnut Creek, CA 94596



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
ATTN: STEVEN KAPPLER, PROJECT MANAGER
BART CENTRAL CONTRA COSTA COUNTY CROSSOVER
P.O. BOX 12688 MS LKS-9
OAKLAND, CA 94604-2688

F. JAY LUTZ • CAROLINE F. LUTZ

Post Office Box 4505, Walnut Creek, CA 94596

925-943-7621 • cell 925-708-2261 • fax 925-945-0990 • jay.lutz@sbcglobal.net

January 8, 2006

San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler
MS-LKS-9
Post Office Box 12688
Oakland, CA 94604-2688

Re: Comments on the Notice of Intent to Adopt a Mitigated Negative
Declaration for the Central Contra Costa County Crossover Project

The proposed Mitigated Negative Declaration, as currently written, is inadequate and incomplete and does not meet the requirements of the California Environmental Quality Act. It fails to disclose and analyze the full extent of the Project's visual impacts at the proposed Southern Crossover, fails to identify and evaluate obviously superior alternative design solutions and mitigations for those impacts, and fails to adequately provide for ongoing consultation and communication with impacted residents during the Project's design and construction periods.

Our Interest. We are the owners and residents of a home in Walnut Creek's Main Chance Estates, a 268-unit condominium complex, with an estimated 800 residents, that lies between Oak Road on the east, Parkside Drive on the south, and, most importantly, Jones Road on the west. BART's right-of-way is only 46 feet across Jones Road from the western edge of the complex. The entirety of BART's proposed Southern Crossover will be located across from the approximate midpoint of our complex.

One of the four private roads in the complex is Churchill Downs Court. It exits and enters Jones Road across from the proposed Southern Crossover site and is the sole access to 70 of the Main Chance homes. Our home is located at the northeast corner of that intersection; it fronts on Jones Road and is only a few feet south of where BART currently plans to install a "traction power gap breaker station." (A GIS view of the Churchill Downs area is attached.)

The Crossover Project. This long-term, \$25 million undertaking includes an 18-month construction period that will impact residents along approximately one mile of Jones Road. Work will be intense during several of those months, with noise and traffic from construction equipment, dust and other disruption. At both

F. JAY LUTZ

Page 2

the Northern and Southern Crossover sites, several hundred feet on the west curb of Jones Road will be set aside as construction zones. There will be permanent changes that people will see (and maybe still hear). For example, the crossovers will produce noise; to mitigate that, 8-foot-high sound walls, 350-feet long at the Southern location and 480 feet long at the Northern location, will be built at the top of the track embankment. (An aerial view of the Southern site plan is shown as Figure 7, on page 15, of the Notice of Intent.)

More importantly for this comment letter, a "traction power gap breaker station" will be erected at street level at each location. Each station will consist of a large metal building, 28 feet long, 18 feet wide and 12 feet high, plus two parking spaces for maintenance vehicles. The total length of each station will be approximately 50 feet.

A Problem of Unmitigable Ugliness. BART's Notice of Intent describes the gap breaker structures as "similar to large shipping containers" and refers to the stations as "functional industrial architecture." It is interesting that although the Notice (at page 24) includes a visual simulation of a sound wall — something already familiar to virtually every East Bay resident — it does not provide a visual simulation of a gap breaker station. Perhaps there is a very good reason for that. Gap breakers are extremely unattractive, as you will see from these two photographs of gap breakers at the Concord maintenance yard.



It is also interesting that a "Frequently Asked Questions" information sheet distributed at BART's December 8, 2005, public hearing on the Project, contains the following question and answer:

Will there be any visual impacts?

The two sound walls, one at each crossover, will be visible from Jones Road, but are not expected to have any significant visual impacts,

There is no mention whatsoever of the visual impact of the gap breaker stations.

The Notice of Intent then says:

"As part of the project, the gap breaker stations would be enclosed with 10-foot high chain link fencing. In order to provide greater visual

F. JAY LUTZ

Page 3

screening and reduce visual impacts along Jones Road, the 10-foot tall fencing in front of and around the gap breaker stations would be treated with redwood slats or other fencing treatment."

The following pictures show a gap breaker enclosed with 10-foot high chain-link and redwood-slat fencing. It is located between the parking lot and track structure at the Concord BART station. Even in that obscure corner of the station, the fencing is a sorry, ineffective attempt at mitigation.



A Problem of Inappropriate Location. The Notice of Intent (at page 21) attempts to justify placement of gap breaker stations along Jones Road by saying "The existing visual setting is a utilitarian landscape in a transportation corridor. The gap breaker facilities are not out of character with the existing features and functions of that landscape" and it refers to a view of the BART embankment as illustrating "a less than pristine visual environment."

It is ironic that BART, having created and maintained an inexcusably unattractive right-of-way in that location, and having made no known efforts to improve it over the last many years, should now use the result of its indifference to justify making the area even more unattractive.

In fact, however, the area is neither utilitarian nor worthy of being the host for the gap breaker stations. It is an established residential area. Across from the entirety of the Southern Crossover site are a variety of upscale condominium homes that comprise the Main Chance Estates. Three examples are shown here. More are attached to this letter.



F. JAY LUTZ

Page 4

The proposed gap breaker station for the Southern crossover will be at street level, a few feet north of the intersection of Churchill Downs Court and Jones Road, and less than 50 feet west of the Main Chance property. Many of the people who live on Churchill Downs would see the proposed gap breaker station, every day, out their front doors and/or upstairs and downstairs windows. Every person who lives in one of the 70 Churchill Downs units would see the station every time he or she leaves home or returns. Finally, Main Chance residents who live on the north half of Pimlico Drive, and residents from other sectors of Jones Road, would likewise be negatively impacted by the station.



The gap breaker station is simply not appropriate in our residential neighborhood. It would be a significant negative impact that, in its proposed location, could not be mitigated.

A Solution. On December 8, 2005, BART held a public meeting to answer questions and receive comments on the Crossover Project. The Main Chance homeowners who attended asked why the Southern gap breaker station could not be located on the west side of the BART tracks, adjacent to Lawrence Road, where it would not be seen by people in the residential neighborhoods (or by very few other people). They noted that there is sufficient BART right-of-way on the west side and potential to access the station for periodic maintenance via Lawrence Way, perhaps through the entrance to the City of Walnut Creek's maintenance yard. The station would be effectively hidden from public view by the BART embankment on one side and the eastern wall along Lawrence Way on the other.

At the conclusion of the public meeting BART's Project Manager, Steve Kappler, said that BART would explore such a move, but making it a reality would depend on the City of Walnut Creek providing access for a small number of BART maintenance visits. More recently, Mr. Kappler advised that BART staff is reviewing the legal, technical and financial aspects of relocating the station and that he expects to meet with Walnut Creek staff soon after the holidays to explore the access options. Last week Main Chance residents spoke before the City Council asking for the City's support. Conversations with City officials indicate that they are disposed to provide the needed access.

Periodic Cleaning During Construction. Provision should be made for periodic removal of dust and debris deposited on private property as a result of construction activities, including coupons or reimbursements for car washing, window and building washing, etc. (The Notice, at page 28, already provides for BART and/or contractor cleaning of public sidewalks and streets.)

F. JAY LUTZ

Page 5

Tree removal. Replacement of removed trees and other landscape should be on a 3:1 basis as is more commonly being required for agency and developer projects.

Coordination and Communication with the Community. A program to keep area residents advised in advance of scheduled construction activities, and to provide feedback and advice to BART and its contractor throughout the construction period, should be included in the Notice. Participants should include staff from the City of Walnut Creek, staff from Contra Costa County, representatives from the larger condominium homeowner associations and neighborhood associations plus interested individuals in the impacted areas.

Sincerely,

F. Jay Lutz

Caroline F. Lutz

cc: Gail Murray, District One Director
Bay Area Rapid Transit District

Kathy Hicks, Mayor
City of Walnut Creek

Michael Parness, City Manager
City of Walnut Creek

James Lisa, Vice President
Main Chance Estates Homeowners Association

Peter Ho, Secretary
Main Chance Estates Homeowners Association

GIS View of Churchill Downs Court Area



**Sampling of Main Chance Homes Along Jones Road
From Pimlico Drive to Parkside Drive**



San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler
MS-LKS-9
P.O. Box 12688
Oakland, CA 94604-2688

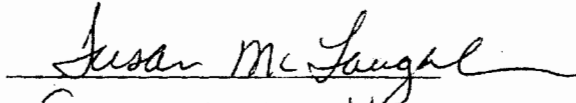
Dear Mr. Kappler:

I am a resident of the Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks, along Jones Road. The proposed new structure is unsightly and does not belong in an area that is zoned for residential use.

It should be placed on the West Side of the tracks, along Lawrence Way, in an area that is zoned for industrial use.

Thank you for your consideration.

Signature:



Name:

Susan McLaughlin
(print)

City: Walnut Creek, CA



Darwin.Mendoza@kp.org
01/04/2006 04:26 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: BART Crossover Project along Jones Road

To whom it may concern:

I am a resident on Jones Place off Jones Road. The BART trains that speed along Jones Road make a very loud clack-clack as they pass. The noise off the track is quite loud. Because of that noise along with the upcoming "cross over" project on Jones Road we would like to request that the sound wall be extended to include our portion of Jones Road and/or some tall trees be planted. Any help would be greatly appreciated.

Sincerely,

Darwin E. Mendoza
ASM ETS Functional Testing
925.924.6679

JAN 11 '06 08:22AM (510) 464 5539
Jan 10 06 03:41P Robert C. J. Miller

9259374384

P.8/9

ROBERT C. MILLER
2814 Lariat Lane
Walnut Creek, CA 94596

Telephone: (925) 937-1468
Fax: (925) 937-4384
e-mail: mcgrgm@pacbell.net

January 10, 2006

San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler
MS-1.KS-9
P.O. Box 12688
Oakland, CA 94604-2688

Re: Notice of Intent to Adopt a Mitigated Negative Declaration - Contra Costa County Crossover Project (the "Project")

Dear Mr. Kappler:

I appreciate the opportunity to accept BART's invitation to comment on the Project. I am owner of a four-plex on Jones Road - 2714 Jones (sometimes called Mount Diablo Apartments) - which is about 100 feet south of the Palmer School. Tenants occupy each of the four apartments in the four-plex.

I have read over with interest the 63-page description of the Project (the "Description").

Up to now, our experience of having BART tracks across the road from Mount Diablo Apartments has been O.K. (But see page 44 of the Description). The Project may provide the occasion for improving our main complaint. This is that northbound track C-1 is much more noisy for northbound trains than is track C-2 for southbound trains, suggesting that track C-1 has too much "give".

Here are our suggestions to protect the interests of those occupying Mount Diablo Apartments - all on the basis that the work on the north cross-over will be about 200 feet south of the Apartments, which are about 100 feet south of the Palmer School:

1. Track C-1. As a side-bar to the Project, tighten the "give" of track C-1 across from Mount Diablo Apartments. I note that BART train service will be halted a bit to accomplish the cross-over (page 17 of the Description). This would appear to be a good occasion to correct track C-1 in the area I have just described which comes close to being in the "immediate vicinity" of

JAN 11 '06 08:23AM (510) 464 6539
Jan 10 06:03:41P Robert G. Miller

9259374384

P.9/9

the Project (page 44)

2. **Vouchers.** Make sure that tenants of the likes of Mount Diablo Apartments (which are only 200 feet away from the Project) are eligible to receive hotel vouchers if they ask for them because of noise levels during construction (see Description, page 17).

3. **Noise mitigation in general.** The Description refers to "mitigation" of these noise levels, including wheel impact. I assume that these efforts will encompass tenants of the likes of Mount Diablo Apartments (referring to page 45-47)

4. **Sound wall.** It appears that the sound wall at the northern cross-over will extend to a point approximately opposite Mount Diablo Apartments (see pages 11 and 21). If it does not I assume that appropriate noise levels will not have been exceeded for Mount Diablo Apartments. See also comment 1 above regarding the current "give" in track C-1.

5. **Parking along Jones Road.** The Description evinces sensitivity to parking issues along Jones Road, during construction. Our concern is that dearth of parking spaces will prompt the parking of cars within the private driveway area of Mount Diablo Apartments. If this occurs, it will be very inconvenient to our tenants. We assume that BART and its contractors will do everything possible to alleviate this risk by making as many parking spaces available as practicable along Jones Road while construction proceeds.

If you have any questions, I would be happy to answer them.

Very truly yours,

Robert G. Miller



May Mineta
<mhmwc1@juno.com>
01/07/2006 01:29 PM

To: contracostacountycrossoverproject@bart.gov
cc
bcc
Subject: Re: CCC Crossover Project

To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

Re: CCC Crossover Project

Dear Mr. Kappler,

I live directly across from the BART tracks on Jones Rd where this particular structure is being proposed by your organization. Therefore, I vehemently object to the placement of this Southern Gap Breaker Station on the east side of the tracks.

Why would anyone be so short sighted as to want to obstruct a housing unit with lessened open space with this structure. I would think that government's goal would be for better quality of life for its citizens? Right? Not the opposite. It just doesn't make sense.

Thank you for your consideration on this matter.

May H. Mineta
502 Churchill Downs Court
Walnut Creek, CA 94597



ulanderp@att.net
12/18/2005 11:16 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: BART CROSS OVER PROJECT

Dear Mr. Kappler:

I am a resident of the Main Chance Estates in Walnut Creek, CA and I oppose the placement of the Contra Costa County Crossover Project's South Switch room on the East side of the BART Tracks along Jones Road. The proposed new structure is unsightly and does not belong in an area that is zoned for residential use.

It should be placed on the West Side of the tracks along Lawrence Way in an area that is zoned for industrial use.

Thank you for your consideration.

Name: Ulander Pang

Main Chance Estate

Pimlico Drive

Walnut Creek

Ca. 94597

City: Walnut Creek, CA



"Daniela Penati"
<dpenati@marcole.com>
01/09/2006 03:19 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Comments on the Contra Costa County Crossover project

I'd like to urge Bart NOT to build the CCC Crossover Gap Breaker Station on the East side of the Bart Tracks, along Jones Road. For many years my whole family has been driving to San Francisco, until we moved to Main Chance Estate in Walnut Creek, where we all have been able to walk to Bart and regularly use your trains. Main Chance Estate is a nice residential community, one of the reasons many residents choose it is because we can walk to Bart and commute to San Francisco. Any abrupt changes to the surrounding area will create a reason in many of us to move to a new community where we might be forced to use our cars back again.

Please consider developing the new structure along Lawrence Way, which is an area that is already zoned for industrial use.

Penati Family
539 Churchill Downs Court
Walnut Creek, CA 94597



Peggy Pflager
<ppflager@pacbell.net>
11/28/2005 05:20 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Crossover project

History:  This message has been replied to.

I live at 2548 Jones Rd #12 (right in front at the sidewalk).

I have concerns about
Permanent Noise and Dust

I noticed that you put noise barriers at the north and south end, but nothing in the middle.

Is the Bart going to come closer to my house?

Couldn't you plant some more trees all along the fence (indigenous trees would be best)? This would partially help with dust and noise. The tree on the Bart side of Jones Rd. in front of my house (condo) is pretty much dead already. The oleander is sparse in my area. I've been wanting to call you about it for awhile now anyway.

Recently I have developed asthma, and wonder if it's from all the pollution/dust.

Hopefully, Bart won't be coming closer to me, as the noise already is bad enough. How about rubber tires or something (not my expertise) so they won't squeal so much.

Unfortunately, I will not be able to make the meeting. I am working 12 hrs that day. These are some of my questions/concerns. Hopefully, someone could call me. Please add me to your list of people requesting updates and information on this project.

Peggy Pflager
2548 Jones Rd #12
Walnut Creek, Ca 94597
925 274-0514



Joy Pinsky
<jrpinsky@yahoo.com>
01/08/2006 02:04 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: contra costa crossover project

As am a resident of Main Chance Estates in Walnut Creek, I oppose the placement of the Contra Costa Country Crossover Project's Southern Gap Breaker Station on the East side of the BART tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

Instead, it should be placed on the West side of the tracks, along Lawrence way, in an area zoned for industrial use.

Thank you for your consideration.

Joy Pinsky

Yahoo! Photos

Got holiday prints? [See all the ways](#) to get quality prints in your hands ASAP.



"Anna"
<polovets@california.com>
01/08/2006 02:09 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject contra costa county cross over project

To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

From: Anna Ryabkina and Alexander Polovets
594 Churchill Downs Court
Walnut Creek, CA 94597

Re: Comments on the Contra Costa County Crossover Project

We are residents of the Main Chance Estates in Walnut Creek, and we strongly oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

We do not want to have an increased level of noise, pollution, and other discomforts that can harm our health.

Thank you for your consideration.

Anna Ryabkina and Alexander Polovets



JAN-09-2006 08:13AM

FROM-CENTEX CONSTRUCTION/CUSTOMER CARE

1-825-415-1603

T-142 P.001/001 F-851

Sharon Rinaldi
530 Churchill Downs Court
Walnut Creek, CA 94597

January 9, 2006

TO: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

Re: Comments on the Contra Costa County Crossover Project

I am a resident of the Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station the East side of the BART tracks along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

It makes more sense for it to be placed on the West side of the tracks, along Lawrence Way, in an area that is zoned for industrial use.

Thank you for your consideration.

530 Churchill Downs Court
Walnut Creek, CA 94597

Post-It® Fax Note	7671	Date	1-9-06	# of pages	1
To	Steve Kappler	From	Sharon Rinaldi		
Co./Dept.		Co.			
Phone #		Phone #	925 415 1706		
Fax #	510-464-6539	Fax #			

01/09/2006 11:12 5107704168

NUMMI FINANCE

PAGE 01

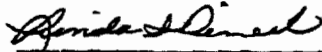
To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

Re: Comments on the Contra Costa County Crossover Project

I am a resident of the Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

It should be placed on the West side of the tracks, along Lawrence Way, in an area that is zoned for industrial use.

Thank you for your consideration.



526 Churchill Downs Court
Walnut Creek, CA 94597

LINDA RINECK

Bay Area Rapid Transit District
P.O. Box 12688
Oakland, Cal.
94604

518 Jones Place
Walnut Creek, Cal.
94597
1-07-06

Dear Mrs. Steve Kappler,

Just received your notice of the
'Extension for Bart'

I am against this project. I live
on Jones Road - the noise and dirt that we
get from Bart is very disturbing, and with
added Crossover on the tracks - it will be
impossible to live here. Would you
Mr. Kappler, enjoy life on Jones Road?

This will lower our property values!

I've lived here nearly 30 years,
we've accepted parking bumper to bumper on
Jones Road - dirt from your riders. You
never clean your door.

Jones Road has become the
dumping area of Walnut Creek..!

'We need help - again I'm against
the Crossover'

Sincerely,
Freda Rose

01/08/2006 15:04 9259385296

ALEXANDER POLOVETS

PAGE 01

To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

From: Anna Ryabkina and Alexander Polovets
594 Churchill Downs Court
Walnut Creek, CA 94597

Re: Comments on the Contra Costa County Crossover Project

We are residents of the Main Chance Estates in Walnut Creek, and we strongly oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

We do not want to have an increased level of noise, pollution, and other discomforts that can harm our health.

Thank you for your consideration.


Anna Ryabkina and Alexander Polovets

01/08/2006



"Nancy Schild"
<nschild@earthlink.net>

01/09/2006 08:32 PM

To contracostacountycrossoverproject@bart.gov

cc

bcc

Subject Jones Rd. concerns

Dear Mr. Kappler,

I am an owner in Carriage Place on Jones Rd. I have concerns about this new project in several areas. First, I am concerned about the noise and pollution during the construction phase. Will any of the work be done at night? If so, will motel rooms be paid for and arranged so that the many residents of the area will be able to sleep? What about dirt and dust on the cars that are parked in the carports? How will they be protected? What additional noise will occur at night once trains begin to use the crossover? I am also concerned about the loss of my property value due to this project. Is there a less populated area where this crossover can occur?

I would like to be added to the mailing list for additional updates on this project.

Miss Nancy Schild
2614 B Jones Rd.
Walnut Creek, CA 94597



JUN 9 2006 7:02AM WK HENDERSON

170.343 P.1

To: San Francisco Bay Area Rapid Transit District
Attention: Steve Kappler

Re: Contra Costa County Crossover Project

I live in Main Chance Estates in Walnut Creek, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Braker Station on the East side of the BART Tracks, along Jones road. This new structure would be industrial, unsightly and does not belong in an established and attractive residential area. My family lives directly across the street from the proposed new structure.

If it has to be placed anywhere near my home it should be placed on the West side of the tracks, along Lawrence way, in an area that is zoned for industrial use.

Thank you for you consideration.

Jerome Schoenborn
587 Churchill Downs Court
Walnut Creek, CA 94597

IN. 340 2.6

Re: Contra Costa County Crossover Project

If it has to be placed anywhere near my home it should be placed on the West side of the tracks, along Lawrence way, in an area that is zoned for industrial use.

where

Wassana Schoenborn
587 Churchill Downs Court
Walnut Creek, CA 94597



"Tom Solheim"
<solheim@pacbell.net>
01/08/2006 03:39 PM

To <contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Comments on the Contra Costa County Crossover Project

Attn: Steve Kappler

My wife and I live in Main Chance Estates, Walnut Creek, and are very concerned about the plans recently announced about the Bart "Crossover Project". Any structure as proposed which includes a breaker station and parking spaces which are visible to Churchill Downs and Main Chance residents is unacceptable when alternatives exist. Please consider placing these structures on the West side of the Bart tracks along Lawrence Way out of view from any residential area.

Thank you.

Tom and Pat Solheim
550 Churchill Downs Court
Walnut Creek, CA 94597
(925) 935-5371

FROM :

FAX NO. :

Jan. 09 2006 02:40PM P2

David And Marilyn Stearns
66 Moraga Via
Orinda California 94563
925 254 0354

Steve Kappler,
Bart Central CC County Crossover Project
P.O.Box 12688 MSLKS-G
Oakland California 946604-2688

Dear Mr. Kappler,

Thank you for sending the information regarding the proposed crossover Project in Walnut Creek.

We own several properties in Walnut Creek including an apartment complex at 2708 Jones Road, Walnut Creek. As property owners, we have substantial and grave concerns regarding the proposed crossover project.

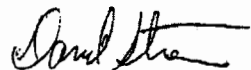
These concerns include but are not limited to the following specific issues:

- 1 Noise levels at all hours given the close proximity to residential housing including our Jones Rd. property.
- 2 The material adverse effect of the close proximity of the proposed crossover on future tenants of our rental property.
- 3 Given the obvious change in the nature of the overall environment, we believe that establishing the crossover as proposed would constitute a "taking" of our property. As such, we as other similarly situated property owners would be entitled to a fair and reasonable compensation.

We are concerned that this issue mandates a public hearing and we are unaware of any such effort having taken place.

We look forward to your response,

Sincerely,



David Stearns



debbie thompson
<dt61958@yahoo.com>
01/04/2006 11:02 AM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Bart Cross over at Jones Road

Dear Sir,

I want to express my concern over the proposed plan to construct a cross over for BART at Jones Road. I have lived on Jones Place for the past 10 years and the noise from the BART train is very loud. The small trees that were planted there have all died and not been maintained. Now you are proposing more BART traffic. The current noise situation has never been addressed or resolved. I am extremely discouraged with this new phase. Please reconsider your plans. These are our homes and the noise is already bad, next it will be horrible. Not to mention what it will do to the value of our homes that we have worked so hard for.

Your consideration to this matter is greatly appreciated.

Sincerely,

Debbie Thompson
516 Jones Place
Walnut Creek, CA 94596

Yahoo! Photos

Ring in the New Year with Photo Calendars. Add photos, events, holidays, whatever.



01/05/2006 18:44 5105487329

CLAREMONT

PAGE 01

Bart Central Contra Costa County Crossover project
Attn: Mr. Steve Kappler
PO Box 12688
MS LKS-9
Oakland, CA 94604-2688

Dear Mr. Kappler:

I am a resident on Jones Place off Jones Rd. The BART trains that speed along Jones Road make a very loud noise as they pass. The noise off the track is quite loud. Because of that noise along with the upcoming cross over project on Jones Road, we would like to request that the sound wall be extended to include our portion of Jones Road and/or some tall trees be planted. Any help would be greatly appreciated.

Sincerely,

Phing Thong
533 Jones Place
Walnut Creek, CA 94596



calvin tom
<calvintom@astound.net>
01/09/2006 02:01 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Cross Over Project

I live right across the road to the Pleasant Hill Station for 12 years and a lot of my friends are worry about the cross over at the Pleasant Hill Station, it is a conscience that the gap breaker boxes should be located on the other side of the tracks.

Calvin Tom
1352 Las Juntas Way
Walnut Creek, CA 94597



SVZ@aol.com
01/08/2006 10:38 AM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Crossover Project

Dear Mr. Kappler,

My wife, Carol McKinney and I are frequent BART riders and homeowners at Main Chance Estates in Walnut Creek. We are writing to express our opposition to the placement of the CC County Crossover Project's Southern Gap Breaker Station on the EAST side of the BART tracks along Jones Road.

Clearly, the WEST side of the tracks is the best placement area, as that side of the tracks is already bordered by a freeway onramp (Lawrence Way) and County maintenance yard, and is already zoned for industrial use. Placing the station on our side of the BART tracks will have a negative effect on our daily lives and the value of our home, as well as property tax revenue. Thank you for your consideration.

Sam Van Zandt
Carol McKinney
532 Churchill Downs Ct.
Walnut Creek, CA 94597



"chipote2@yahoo.com"
<chipote2@yahoo.com>
01/09/2006 10:56 AM

To "contracostacountycrossoverproject@bart.gov"
<contracostacountycrossoverproject@bart.gov>
cc
bcc
Subject Comments on the BART Central Contra Costa County
Crossover Project from: : James Wang

Name: James Wang
email: chipote2@yahoo.com phone: 925-280-9838
City: Walnut Creek , CA 94597

Subject: Pleasant Hill Crossover Project Report Comment
Feedback: I am concerned about the noise that will be generated when the train crosses over to the other track, particularly the very sharp, wheel metal to metal track, noise that you hear. The report does not go into detail about what will be done to reduce or eliminate the "sharp" noises. How does the "welded" track reduce noise? Is the sound wall going to reduce these sharp noises? I would like to see more detail on this.

User IP: 64.171.58.157
Browser: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1)



Wbertha5@aol.com
01/07/2006 04:08 PM

To: contracostacountycrossoverproject@bart.gov
cc:
bcc:
Subject: Re: CCC Crossover Project

January 7, 2006

To: SF Bay Area Rapid Transit District
Attn: Steve Kappler

Re: Comments on the Contra Costa County Crossover Project

I am a property owner in the Main Chance Estate complex in Walnut Creek, and I wish to express my opposition to the proposed placement of the CCC Crossover Project's Southern Gap Breaker Station on the east side of the BART tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

Thank you for your consideration.

Bertha M. Williams
592 Churchill Downs Court
Walnut Creek, CA 94597



JAN 10 '06 01:24PM (510) 464 6539

P.1/1

January 10, 2006

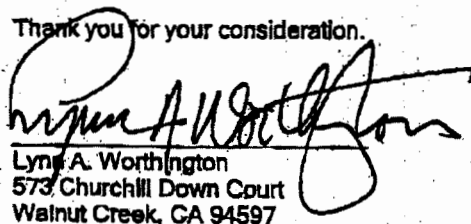
To: San Francisco Bay Area Rapid Transit District
Attention: Steve Keppler

Re: Comments on the Contra Costa County Crossover Project

I have been a resident of the main Chance Estates in Walnut Creek for over 6 years, and I oppose the placement of the Contra Costa County Crossover Project's Southern Gap Breaker Station on the East side of the BART Tracks, along Jones Road. The proposed new structure would be industrial and unsightly and does not belong in an established and attractive residential area.

Why don't you place the structure on the West side of the tracks, along Lawrence Way, in an area that is zoned for industrial use.

Thank you for your consideration.


Lynn A. Worthington
573 Churchill Down Court
Walnut Creek, CA 94597

NO. 7447 P. 2

JAN. 10. 2006 12:54PM BETTER HOMES REALTY



BXZhou@aol.com
01/02/2006 02:37 PM

To: contracostacountycrossoverproject@bart.gov
cc: FelloJM@aol.com, leslicchan@sbcglobal.net,
marq@inreach.com, RJohnson@ortc.com,
t-osborne@sbcglobal.net
bcc:
Subject: Sound barrier for crossover project

Dear Mr. Kappler:

I am a resident along Jones Road. I have looked at the proposed plan for the project and found that a section of Jones Road will not be covered by the sound barriers between the crossovers. I'd like to see this gap be covered either by extending the sound walls or by planting some tall trees.

Please take into consideration that the neighborhood has to bear with the noises and dusts of the construction for more than a year.

Thank you.

Benjamin Zhou
500 Jones Place
Walnut Creek

Section 4

Public Hearing Transcript

9F0932AA.txt

1
2 BEFORE THE PUBLIC IN THE COUNTY OF CONTRA COSTA
3 FOR THE BAY AREA RAPID TRANSIT

4 - - -
5 IN THE MATTER OF:)
6 BART CENTRAL CONTRA COSTA)
7 COUNTY CROSSOVER PROJECT)
8 PUBLIC COMMENT HEARING ON)
9 THE DRAFT INITIAL)
10 STUDY/MITIGATED NEGATIVE)
11 DECLARATION)

12 Transcript of the meeting proceedings taken at
13 Buena Vista Elementary School, 2355 San Juan Avenue,
14 Walnut Creek, California commencing at 6:30 p.m.,
15 Thursday, December 8, 2005 before Cindy Lambert,
16 CSR no. 12987.

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1 A P P E A R A N C E S

2

3 MAIN SPEAKERS:

4 Gail Murray, Director-District No. 1

5 Molly McArthur

6 Steven Kappler, project manager

7 Donald Dean

8

9 PUBLIC SPEAKERS:

10

11 James Lisa

12 Jay Lutz

13 David Watson

14 Peter How (phonetical)

15 Karen Dundes

16

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2	GAIL MURRAY:
3	

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4 Good evening and thanks for coming. I just wanted
5 to be here tonight to introduce myself, because
6 actually, although; I've been on the board for one year
7 as of this month, I know that I haven't met a lot of
8 you. So, I wanted to introduce myself as your BART
9 director, and tell you that I know that you will have a
10 lot of information tonight given to you.

11 Unfortunately, I can't stay because I'm on this
12 committee, actually, policy committee for E BART which
13 is BART going to Byron -- from Pittsburg to Byron. And
14 they're going to talk about stations and Union and
15 Pacific Line and so forth. I have to run out to Antioch
16 by 7:30, but I did want to come by and tell you that I'm
17 hoping that all of your questions about this project
18 will be answered tonight.

19 We have a full presentation and there will be time
20 for you to ask some questions and there will be time to
21 respond.

22 However, I have heard that some of you are
23 concerned that you will not have enough time to respond.
24 So, I'm hoping that if you still feel that way, you will
25 let the staff know, and they'll figure something out.

4

1 we'll figure something out, so that you will feel that
2 your fully informed on this project.

3 So, I wanted to offer that to you, so you don't
4 feel like this is a crisis, that you will have the time

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5 to talk about this with everyone.

6 I also left my cards over there in the sign in, so
7 if you still need the talk with someone, it has the
8 district's secretary name and phone number on a there.
9 So feel free the contact me if you still have concerns
10 that can't be answered tonight by the staff.

11 So, I just wanted to say, "Hello." And I think the
12 presentation is going to start at 7:00 p.m., but I can't
13 wait that long, because you know Highway 4. Thank you
14 for being here tonight.

15

16 MOLLY MCARTHUR:

17

18 Thank you. First of all, I'd like to introduce
19 myself. I'm Molly McArthur. I'm the head of community
20 and government relations for capital projects. That
21 means projects that are in construction or about to be
22 in the construction. I'm very happy to see you all here
23 this evening.

24 We are here, obviously, to talk about the central
25 Contra Costa Crossover Project. We're here to give you

5

1 an overview of the project and review its features, and
2 then, take comments from you all on that project.

3 Start the slide, please.

4 I wanted to also introduce to you some of the other
5 people from the project who are here. Most importantly,
6 Steve Kappler. He is the project manager. He's going

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7 to be doing the presentation on the features of the
8 project. Donald Dean is handing the environmental
9 clearance for the project, and as such, will be able to
10 answer very specific questions about the process and how
11 we've gone through. Angela Charles, here, is on the
12 community relations team, and Rocio Batarse, in the blue
13 suit back there, is also on the community relations
14 team.

15 Once this project does move forward into the
16 construction, we are the community realities team that
17 you would be seeing out here. So, this is our first
18 opportunity to meet some of you.

19 And with that, I'd like to move into a discussion
20 of what the comment period is about. We are here to
21 gather comments on the document this evening. It's a
22 somewhat awkward process. What it means is after we
23 give you a presentation of the features of the project,
24 we will actually open the formal comment period where
25 you will be able to make a comment, and our court

6

1 reporter, here, will actually take that comment down.
2 As part of the comment phase, we don't respond back.
3 It's not a question and answer session. It's for you to
4 formally go on the record with comments; however, after
5 we have formally had any comments that you may wish to
6 offer and we have closed the session, we are happy to
7 stick around and continue to talk with you and answer

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8 your questions.

9 So, it's a little bit awkward. It's a legally
10 formal process, so we just -- I just wanted you to
11 understand the format.

12 When you do come up to make your comments, what I
13 would ask is if you could state your name clearly for
14 the record, so that the court reporter can take it down.
15 If you have had an unusual spelling, if you could help
16 her by spelling your name, that would be helpful, too.
17 And just state your city of residence. You don't have
18 to give us your address, but just what city you reside
19 in would be helpful for us, as well.

20 Next slide. As you'll hear more, what we are doing
21 this evening is talking about comments on a mitigative
22 negative declaration. That's the formal kind of
23 documents that we are doing. There are different kinds
24 of documents. That's the particular form that this one
25 takes.

7

1 Next slide, please.

2 This is the process that we have been engaged in.
3 So, if you'd take a look. The grant study was issued
4 November 23rd. Tonight we are having the public
5 hearing. The end of the comment period is December
6 23rd. And then, the BART board will take a look at, and
7 hopefully adopt the mitigated negative declaration in
8 January.

9 So, that's the schedule that we are on, right now,
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10 it looks like. Next slide.

11 This is the BART system. You all know this map.
12 It hasn't changed since we finished some of our
13 extensions in the middle 90's and the SFO extension
14 down in 2003.

15 The work that we are engaged in tonight -- we'll
16 have a clearer bigger map -- but it's not going to alter
17 the location of the BART tracks. The BART tracks, as
18 they sit now, will remain in place. It's adding to and
19 enhancing the capacity of those tracks. And Steve is
20 going to go through and talk to you about what that
21 means in terms of project.

22 And with that, I'd actually like to ask Steve to
23 come up. This is the project area, and he's going to
24 talk to you about the specifics of the project and walk
25 you through that.

8

1

2 STEVEN KAPPLER:

3

4 Thanks, Molly. I'd like to thank you for coming
5 out tonight. I've been involved with this project for
6 about a year, now. I'd like to share with you about a
7 year's worth of work in a matter of about ten minutes.
8 And again, we'll be available afterwards if there's
9 anything I didn't make clear or gloss over, feel free to
10 ask me any question anytime you'd like.

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11 As you know, the project is going to be located
12 along the BART right of way just west of Jones Roads.
13 We are going to install two new crossovers; one to the
14 north of Parkside Drive, and that crossover takes about
15 300 feet, plus or minus to install. And then, one
16 farther to the north nearly to Treat Boulevard. It
17 actually straddles the Contra Costa Canal. And that
18 crossover is about 500 feet long.
19 Aerial photograph, southern crossover. Northern
20 crossover is shown. Speak for the southern crossover
21 first. Do you want to give me the next slide? But
22 before we do that, in general, a crossover, just to
23 familiar with some of the railroad terms; crossover
24 allows a train to cross from one train to the next.
25 Presently, there's no means to cross from the San

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1 Francisco bound track to the Concord bound track between
2 Pleasant Hill station and Walnut Creek Station. And
3 after 30 years in operation of BART, we realized that
4 that was a tremendous disadvantage to reliable service.
5 So, we are going to put two crossovers in between the
6 two so that we can provide better service between
7 Pleasant Hill station and into San Francisco.
8 With the crossover comes what we call a gap breaker
9 station. Presently, the third rail is, for the most
10 part, continuous, but when we put these new switches in,
11 the third rail is broken up into segments. And each of
12 those segments have to be able to be controlled from

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13 BART central and downtown Oakland station, near the lake
14 station. And so these gap breaker stations are simply
15 an electronic means to control power to the third rail.

16 And also, as part of the project, I will be
17 adding sound walls in the vicinity of the new
18 crossovers. There will be some noise generated from
19 what we refer to as a frog, and that is part of the
20 crossover part of the switch is. And to mitigate that
21 noise that's going to be generated from those frogs, we
22 are adding sound walls to the project.

23 Okay, northern crossover. This one is plus or
24 minus 500 feet long. Again, to orient yourself, we are
25 straddling the Contra Costa Canal. Just to share with

10

1 you some of the notes that are on the screen, we are, in
2 all likelihood, going to be building short retaining
3 walls on either side of the existing embankment,
4 reducing the embankment which, now has very little
5 travel space for maintenance workers and what-have-you.
6 And we are trying to expand the shoulders on either side
7 of the track. And by short retaining wall, we are
8 talking three or four feet. We are not talking large
9 retaining walls, at all.

10 The gap breaker station is the green area. And to
11 construct this gap breaker station, we need to notch the
12 existing embankment and create a level area so that we
13 will be building a retaining wall to construct a flat

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14 pad for the gap breaker station.

15 The gap breaker station, typically is about 20 feet
16 wide plus or minus 30 feet long and about 12 feet high.

17 The fencing in front of the gap breaker station is
18 typically ten feet. So, you might see the top few feet
19 of the gap breaker station.

20 There are historically prefabricated metal
21 buildings and color is to be determined.

22 We see stair access. That's simply so our
23 maintenance folks can get up and over these new
24 crossovers which is composed of two of these new switch
25 machines. Those machines have to be readily maintained.

11

1 Switches have to be regularly greased. All the
2 electronic components have to be serviced. So, the
3 access stairs will be constructed simply for BART
4 maintenance people to get up to the BART right-of-way to
5 take a look at the switches and perform routine
6 maintenance.

7 It's 500 feet long because this is what we call a
8 number 20 turn out. And that simply means that we can
9 take this at a fairly high rate of speed. This is
10 considered a 50 mile an hour turnout, so that trains
11 coming from Walnut Creek -- if they want to turn back --
12 meaning stop at Pleasant Hill and go back to San
13 Francisco, a train leaving from Walnut Creek will come,
14 enter this new intersection crossover section, crossover
15 from the Concord bound track to San Francisco bound

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16 track, off board anyone that's on board at that
17 location. And then, the train will return toward San
18 Francisco.
19 Next slide. Cross sections, as you can see at the
20 top, we talked about the need to create a level area for
21 the gap breaker station. So, we will be building a
22 retaining structure in the 15 or 14-foot high range
23 creating the level pad for the gap breaker station.
24 This is -- I'm speaking from the top cross section. You
25 can see the stair up, which will be a maintenance stair.

12

1 And the sound wall will be built the length of the
2 crossover. And that sound wall is plus or minus about
3 six feet as measured from the top of the rail.
4 Typically, the noises generated will be from the
5 rail. And so, that's where we measure the height of the
6 sound wall needed is from the top of the rail.
7 The middle cross section, here, is simply at the
8 pedestrian trail -- the bike trail. And that's exist
9 existing. And then, the lower cross section, will be
10 another staircase that we are going to construct simply
11 to provide access to the switches for our maintenance
12 people.
13 Okay. The southern crossover, as you can see, at
14 least it appears anyway, to be much shorter. And it is.
15 This crossover is in the vicinity of 200 plus feet long.
16 This shorter distance is because it's rated for a lower

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17 speed. And typically, this crossover will provide the
18 ability to go from if -- a train was coming from San
19 Francisco and heading to Concord, and wanted to
20 crossover to -- let me rephrase that. If a train for
21 this particular turn out is going from, hold on, now.
22 I've got this backwards. If the train is coming from...
23 if there's a need for a train that's coming from walnut
24 creek to crossover to a San Francisco bound track, this
25 is what that crossover is for. It's going to be used

13

1 primarily for maintenance, meaning, it allows the
2 district the ability to single track between the two
3 stations, so that we can put maintenance folks out on
4 the track way and do work while under operation.
5 Presently, we can't do that because there is no single
6 tracking capability between the two stations.
7 So this particular crossover will not be typically
8 used for anything except maintenance returning the
9 system back to normal service in the event of a service
10 failure.

11 Again, short retaining wall on either side of the
12 embankment to expand the existing shoulder on the
13 embankment. And, again, a stairway to each switch
14 location, so that our folks can maintain those switches.
15 And then, the gap breaker station, itself, will be
16 located at the very southern end of the new crossover.

17 Next slide, please.

18 Again, the cross section would be we notch the

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19 existing embankment, create the level pad for the gap
20 breaker station. And the very southern picture, is
21 simply, the stairway up to the switch area. Next.
22 This is an existing -- this is the existing embankment
23 area near the turn out that I just showed you -- the
24 southern turn out. And, if you want to give us the
25 next, slide. This is the simulation of what would be

14

1 there on our completion.

2 The landscaping that exists will, most likely, be
3 removed during construction, but it will be replaced in
4 kind with various shrubbery and what-have-you in front of
5 the fence area. And trees will be replaced, as well.

6 But, you can get an idea of how tall the wall will
7 be in relation to the BART train. The BART train,
8 itself, is much taller than six feet, as you can see as
9 measured from the top of the rail. So, you literally
10 will be able to see the BART train with the sound wall,
11 because the sound wall is trying to mitigate the sounds
12 down at the wheel.

13 Next slide. Project benefits. We talked, just
14 briefly, about that. We will be turning trains in
15 Pleasant Hill and returning to San Francisco, so that
16 provides additional capacity, because it's less travel
17 distance for the trains, so effectively, we create more
18 trains. The reliability of service is increased because
19 with the two crossovers as a pair, we can create routes

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20 around disabled trains and what-have-you, while,
21 presently, we cannot do that.

22 It gives our operation people much more flexibility
23 in delayed management. And again, it improves our
24 maintenance capacity because we can work on one track or
25 the other while one is in service, while presently, we

15

1 cannot do that.

2 Next. Schedule or finishing preliminary
3 engineering and environmental, as we speak. Final
4 design should take about nine months. So, that will be
5 done in September 2006. By the time we advertise the
6 project, get the contractor on board, go through
7 insurance papers and the like, it will be March of '07
8 when we give the contractor the notice to proceed. And
9 the work, itself is scheduled for 18 months.

10 But, I want to just say that that looks like a long
11 duration, but what will actually happen out in the field
12 is these crossovers will be stalled over weekends where
13 we will, literally, shutdown the system, most likely,
14 between Pleasant Hill and Walnut Creek stations. We
15 will bus patrons between Pleasant Hill to Walnut Creek.
16 And it will be continuous construction around the clock
17 for about 48 hours at each location.

18 So, I will say, it will be at least six to eight
19 months from the notice to proceed before you see any
20 civil related track work going on out in the field. It
21 takes significant amount of time to procure these switch

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22 components and what-have-you. And, when we do start
23 construction, it will all happen in a very very sort
24 period of time consolidated over weekends. It will be
25 not be continuous construction out in the field for 18

16

1 months.

2 Budget is about 25 million dollars. The
3 preliminary engineering environmental phase we are
4 winding up the cost of about a million dollars. Final
5 design, as you can see, is about three million. Right-
6 of-way encroachment permits, lay down area and the like
7 we budgeted a half a million for that. And construction
8 about 20.5 million dollars.

9 And, again, that considers engineering, it's staff
10 time. It's complete nuts to bolts. The project,
11 itself, is funded through the Regional Measure 2 Funds
12 through a grant that we recently received. And we have
13 not adopted a project yet. We are in the process of
14 doing that through this environmental phase. And if the
15 project gets adopted, then we will move to the next
16 phase of final design.

17 The money comes through MTC, the Metropolitan
18 Transportation Commission.

19 Next slide. Now, I'm going to turn this over to
20 Don Dean, who has led our environmental out here. And
21 he will take us through the impact and the proposed
22 mitigation.

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17

1 DONALD DEAN:

2

3 Good evening, everybody. My name is Donald Dean.

4 I'm the environmental coordinator for this project.

5 And, as you see in this slide, we know there are
6 going to be impacts related to this project. Some of
7 them are related to the actual operation of the train,
8 but a lot are related to the construction of the project
9 and would be temporary impacts related only to the
10 construction period itself. And, we have, of the
11 impacts that we have identified, we also have a
12 mitigation for each one of those impacts. And, when I
13 say, mitigation, that's an action or series of actions
14 that BART is committed to that would reduce, whatever
15 that impact is, to less than significant level.

16 So, for instance, the first impact, Construction
17 Period Air Quality; whenever you're going to do
18 construction, there's always some dust that's run up
19 into the air. We have a mitigation, Dust and
20 Particulate Control During Construction. There's a
21 series of management techniques that keep the dust level
22 down during construction to the greatest practical
23 degree.

24 The second impact is Loss of Existing Trees. As
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25 steve mentioned, there's some landscaping and trees

18

1 along the BART right-of-way. In order to do some of the
2 construction that we have been talking about, some of
3 those trees would need to come out. We would replace
4 all of those trees, at least, on a one to one basis.

5 The next impact is the Potential for Buried
6 Archeological Deposits. This is a standard, what we
7 call, standard mitigation. We don't anticipate that
8 there's archeological deposits in this project corridor,
9 but you never know. So, we have a standard mitigation
10 to stop work if any buried cultural deposits are found
11 during construction.

12 The same for the next impact is a similar one.
13 Potential for Disturbance of Human Remains. Again, we
14 don't anticipate that there is any hidden cemeteries or
15 Native American remains or anything like that. But you
16 never know. So, we have a standard mitigation on all of
17 our projects that we will stop work if there is any
18 human remains that are uncovered. And then, there is a
19 series of procedures we go through that are related to
20 that.

21 Potential for Erosion and Sediment Discharge into
22 the Local Drainage System; we are going to be doing a
23 limited amount of excavation related to the gap breaker
24 station in the embankment. Pretty modest amount of
25 excavation, actually, but again, we have some standard

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1 mitigations that we would comply with the storm water
2 permit requirements to reduce any erosion related to
3 that excavation.

4 Exposure of Noise-Sensitive Land Uses to Additional
5 Noise From Proposed Crossover; this is probably the one
6 that a lot of people are most concerned about. It is a
7 function of putting in this new track work. There's a
8 little additional noise related to the tracks when the
9 BART trains crossover the new switches. And we will
10 construct sound walls adjacent to the crossovers. And
11 we have a sound -- we have a consultant's report related
12 to the noise and vibration. And they've gone through
13 preliminary calculations. And they've recommended the
14 sound wall in the dimensions, height and length of the
15 sound wall, so that we are pretty clear that any
16 operational noise related to the crossovers will be
17 alleviated by these proposed sound walls.

18 Exposure of Vibration Sensitive Land Uses to
19 Additional Vibration from the Special Trackwork;
20 because -- if the BART wheels cross these switches,
21 there is a little vibration involved in that. We'll be
22 doing some additional work related to the embankment and
23 the tracks that reduce that vibration at the greatest
24 degree possible.

25 The next one. Impact to East Bay Regional Park

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1 District Trail Users; As Steve mentioned, the northern
2 crossover is centered over the Contra Costa Canal. And
3 right next to that is the East Bay Regional Park Hiking
4 and Biking trail.

5 We will work with the East Bay Park District on a
6 trail closure plan that the goal there being to keep the
7 trail open to the greatest degree possible, but during
8 certain phases of construction that just for safety
9 reasons, we won't be able to keep it totally open.
10 We'll have to close it for certain, we think, limited
11 periods of time. So we would be working with the
12 Regional Park District to come up with a trail plan and
13 a schedule to make that happen in the most convenient
14 way possible for the trail users.

15 Next slide, please. Construction Noise Impacts;
16 require all construction to be in compliance with noise
17 limits. BART has a series of noise standards both for
18 operational, but also for construction noise. So
19 anybody doing work for BART is required to follow those
20 standards. So those, when I say noise limits, those
21 standards are the ones that I'm referring to.

22 Minimize Noise Generating Nighttime Activities; as
23 Steve mentioned, there is a couple periods of time
24 during construction when we know that we'll be working
25 at night around the clock basis in order to get these

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1 crossovers integrated into the tracks and into the BART
2 system. We will try and minimize nighttime noise to the
3 greatest degree possible, but we know that there will be
4 certain periods of time when we will just be working
5 around the clock.

6 Prohibit Use of Impact and Vibratory Pile Driving;
7 we don't think there will be much need to drive piles on
8 this project, but we certainly wouldn't be using impact
9 pile drivers or vibratory pile drivers.

10 Coordinate With the City of Walnut Creek to Ensure
11 Residents Are Fully Informed About Construction; We will
12 be working with the City on some of the construction
13 plans, and also with the construction scheduling. And
14 certainly, BART will have Community Relations Team out
15 there working with the residents in the neighborhood so
16 that they know what to expect in terms of construction,
17 what the scheduling is going to be, when they might be
18 most impacted by the BART construction, so that they can
19 plan accordingly, particularly in terms of noise impacts
20 and any nighttime impacts.

21 The next impact is Construction Period Traffic
22 Impacts. So, we know that we are going to be doing
23 work, and that work is going to be access from Jones
24 Road. We expect for a certain part of that construction
25 period we are going to be working on the curb lane along

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1 Jones Road. And also, as a result of that construction,
2 we are going to be having truck traffic on Jones Road
3 and probably some cranes and other heavy equipment.

4 And, so again, we are going to be working with the
5 City of Walnut Creek to Develop and Implement a
6 Construction Phase and Traffic Management Plan so that
7 will be -- they'll be some controls on that, and we'll
8 be looking to maintain safety for the people along Jones
9 Road and the auto traffic flow along Jones Road.

10 And Parking Impacts During Construction; I just
11 mentioned that. We know that we are going to be, for at
12 least a portion of the construction period, we are going
13 to be doing some work in the parking lane on the west
14 side of Jones Road adjacent to the BART embankment, so
15 that for a certain period of time, anyway, we'll be
16 using that area that's now parking as part of our
17 construction zone.

18 So, people currently parking there during that
19 period of time will have to find some parking in
20 different areas along the street or off Jones Road,
21 altogether.

22 Next slide, please. Verbal comments. I guess we
23 are back to verbal comments.

24
25

23

1 MOLLY MCARTHUR:

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2

3 Thank you. All right. Before we get into the
4 comment phase, I'd like to point out a couple of things.
5 Obviously, you can make a verbal comment and that will
6 go directly in the record. If you would prefer to
7 prepare a written comment, we have comment cards on the
8 back table. You can write your comments out and leave
9 them with us, now. You can take it home and write your
10 comments at your leisure and mail them to us. We also
11 will take your comments via e-mail, but it is important
12 to know that, except for tonight, all the rest of the
13 comments need to be written. Tonight you can give us a
14 verbal comment, the rest of them need to be written.
15 So, if you prefer to just give us your comment this
16 evening verbally, this is the time to do that.

17 All of there information where you can send the
18 comments are also on that back table.

19 So, with that, I would like to formally open the
20 comment period. If you would like to make a comment,
21 please recall, make a statement rather than a question.
22 Please state your name and your city of residence and we
23 will have it generated directly into the record. Who
24 would like to make a comment?

25

24

1 JAMES LISA:

2

3 Hello. My name's is James Lisa. I'm in walnut
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4 Creek. Comments -- statements, I guess. One is; I feel
5 that many of the residents living in the areas adjacent
6 to the construction site did not receive the mailing
7 that was sent. I was one of them, and therefore, may
8 not have had time or be aware of the fact they can
9 comment. So, my statement is, I am asking to consider
10 to extend the comment period a little bit.

11 Secondly, this thing was made about parking and
12 people having to find new areas to park off Jones Road.
13 The concern we have is that parking off Jones Road means
14 parking in our complex where we live and parking at a
15 premium. And I don't want to see a lot of construction
16 trucks and pickups on our streets. So, I'm hoping that
17 the board has some alternative method as to where they
18 feel the workers can park.

19

20 JAY LUTZ:

21

22 My name is Jay Lutz. My wife and I reside at
23 533 Churchill Downs Court. I do have only one comment I
24 want to voice tonight. I will be submitting written
25 comments next week. And that comment is to echo what

25

1 Jim Lisa just as said. The comment period should be
2 extended. I recommend that it should be extended until
3 the end of January.

4 Although, I recognize that it may not be legally

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5 required, a good community relations and effective
6 outreach does require that the people know about this.

7

8 It's shocking to hear that two hundred, as I've
9 been told, two hundred of the notices sent to residents
10 were not been returned.

11 I've been informed that the Municipal Advisory --
12 County's Municipal Advisory Committee for the
13 unincorporated portion of this area and around the
14 Walnut Creek -- around the Pleasant Hill BART Station
15 did not receive notice of this, nor did the, supposedly,
16 the Walden District Improvement Association, the
17 community organization that would be whose area of
18 interest includes the north over crossing area.

19 I was reliably informed that these were not
20 received. Also, I question whether the various Home
21 Owner's association, such as the Main Chance Estates
22 Home Owners Association, the Hampton, and I believe it's
23 Oak Road Villas Home Owner's Association received
24 information as associations.

25 This is a terrible time of year to have this

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1 meeting. It's been very well done. I appreciate it.
2 And I'm sure everybody else does, but there's a
3 relatively small number of people here considering the
4 number of people that will be impacted. And with the
5 holidays, it's not surprising they're not here. Thank
6 you.

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8 DAVID WATSON:

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10 Hi there. I'm David Watson. I live on Civic Drive
11 near Parkside, and I'm a daily BART rider to San
12 Francisco. And that's one of the reasons I live there
13 is because it's convenient to the BART stations.

14 Obviously the area that we are talking about behind
15 these tracks is a high density area. And I think we all
16 understand that the construction issues are temporary
17 and we might have to suffer some of that, and it will
18 eventually be over.

19 In talking with that nice young gentleman over
20 there, it just dawns on us, you know, we all, I think,
21 hear the noise of BART trains all the time. There's
22 something about this particular little valley we are
23 talking about where we get both the highway and the BART
24 noise already. I think a lot of us have been awake at
25 5:30 in the morning as that first train goes (train

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1 noise simulation) down the track.

2 In looking at the proposed sound walls, it would
3 really be a great idea to extend those sound walls along
4 that whole line. And so, maybe that's what my comments
5 should be focused on is if -- I know we are talking
6 money, but it just seems given the high density, that
7 sound wall would really benefit everybody.

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9 PETER HOU:(phonetical)

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11 My name is Peter How, and I live in Walnut Creek.

12 My comment, basically, I'd like to echo both Jim

13 and Jay's comments in terms of timing. This could not

14 have been a worse time to get a notice and give us a one

15 month notification. I, personally, had to cut a

16 business trip short just to make it back here.

17 So, first and foremost, I think time should be

18 extended into -- for another month. We talk about -- we

19 don't get out of the holidays until mid January. So, as

20 part of the community, I would hope that you would think

21 about what you're community does during the year. And

22 that is one of the things that I'd like to see.

23 A couple other things. One is, I do have some

24 concerns about the location of, what do you call it, the

25 switch? The gap breaker building on the southern

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1 passage. It's right there in front of a community

2 neighborhood. We have seen some of the similar

3 buildings in Concord and whatnot. And they're pretty

4 imposing, and they don't look that great. I understand

5 redwood fencing is being put around it. But, again,

6 redwood fencing only looks good when it's kept up.

7 There is a lot of vandalism in that area, especially on

8 the Parkside of the Jones Road. And so, it just doesn't

9 look good.

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10 My alternative would be to put it on the other side
11 of the BART tracks. There's a freeway entrance right
12 there. There's a Walnut Creek -- you know, it's --
13 nobody will see it. It's out of way. I understand
14 there are financial costs to that. But, again, every
15 morning I'm going to be pulling out of my driveway and
16 what I see is a big imposing trailer, basically. And we
17 don't live in Walnut Creek to have trailers there.

18 Lastly, I'd like to ask that you reconsider some of
19 your studies. One of the studies -- I was talking to
20 Don (phonetical) here is that with the six-foot high
21 sound wall already elevated above a track level, there
22 is a potential for sunlight to be blocked to residents.
23 And there are certain residents that actually face Jones
24 Road along where that sound wall would be. And so I'd
25 like to see that there would be no degradation of

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1 sunlight to these units. It obviously impacts property
2 values for everybody, as well as a quality of living.

3 These are things that people didn't see when they
4 bought in. And now, you're forcing them to live with
5 that.

6 And lastly, I would also like to see -- that Donald
7 has mentioned a lot of mitigation in terms of how we
8 mitigate. But what hasn't been talked about is how we
9 measure noise levels, dust particulate, so that we know
10 what the appropriate mitigation is. Without that, you

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11 know, anything you say you would mitigate, doesn't have
12 any teeth to it. So, those are my comments. Thank you.

13

14 KAREN DUNDES:

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16 My name is Karen Dundes, D-u-n-d-e-s, and I live in
17 Walnut Creek. And I have three main points that
18 occurred to me while reading through here in the report
19 tonight. And there is another impact that hasn't been
20 mentioned is the need to address the additional noise
21 that will result from the additional volume of trains
22 that will be travelling on the track after this
23 crossover is put into place that will allow the turn
24 around and the increase of trains.

25 I would also like to echo his comments and say

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1 that I would like you to consider placing the gap
2 breakers on the west side to eliminate the parking issue
3 with the construction trucks. You would also be
4 eliminating most of the traffic issue of the lane
5 closure. You would be reducing the impact of the lane
6 closure that is going to be resulting from the work
7 being done there. And further, the west side is the
8 industrial side. These are industrial billings. The
9 east side is the residential side. And I think that's a
10 huge division there. And, when you bring that big gap
11 breaker building to the west side, that really degrades
12 the value of our neighborhood.

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13 And lastly, I would like to say that I would like
14 to consider that the City Staff work with the residents
15 in formulating the traffic slash parking alleviation
16 plan and not just rely on the City... bring in the
17 comments of people who live there. What would we like
18 to see? Because I live on Drake Court which is a
19 private street. And we don't have people parking there,
20 but Jones Road has a lot of parking on it. And if
21 that's eliminated, then they're going to be coming into
22 my neighborhood. Frankly, I don't want that. And so, I
23 want to find out ahead of time what's going to be done,
24 rather than after it becomes a problem.
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1 MOLLY MCARTHUR:

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3 Next comment? Okay. I'm going to presume, then,
4 that the formal verbal comment period is closed for this
5 evening and remind you, again, that written comment
6 materials are available on the back table. And they can
7 be presented to us this evening. They can be mailed to
8 us, or they can be e-mailed to us. And Thank you very
9 much for participating this evening. We very much
10 appreciate your comments.

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12 (Whereupon the meeting was concluded at 7:40 p.m.)

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